

June 4, 2004

Mr. Sam Winkler
Akzo Nobel Coatings
2837 Roanoke Ave. SW
Roanoke, VA 24015

Subject: Akzo Nobel Coatings, VAD000019828
Request for Billing Contact and Address

Dear Mr. Sam Winkler:

In accordance with House Bill No. 1350 and Senate Bill No. 365, the Department of Environmental Quality will begin collecting annual fees from all Virginia hazardous waste facilities and large quantity generators beginning in September of this year. This letter is to confirm or obtain appropriate billing contact and address information for the facility.

The above name and address is listed in our records as the facility's mailing contact and address. If this address is not correct for billing purposes, please send me the appropriate billing name and address that the Department should use. In addition, the Department requests that each facility and generator provide its federal tax identification number to ensure proper processing of your bill and records. It is important to obtain proper billing information, since late fees may be applied if the annual fees are not paid promptly.

Please send any billing address corrections and the tax number information to:

Sanjay V. Thirunagari
Department of Environmental Quality
P.O. Box 10009, Richmond, Virginia 23240-0009

If the Department does not receive a response from your facility, the bill will be sent to above name and address. The draft fee regulations are posted on the Department's website at:
<http://www.deq.virginia.gov/waste/pdf/dhwfr.pdf>.

If you have any questions about the Department's address records and billing procedures, please call me at (804) 698-4193. Questions about the hazardous waste fee regulations themselves should be addressed to Mr. Robert G. Wickline at (804) 698-4213.

Sincerely,

Sanjay V. Thirunagari
Manager, Technical Support
Office of Waste Programs

CC: HW files/Regional Office

MEMORANDUM

Virginia Department of Environmental Quality
West Central Regional Office – Waste Compliance
3019 Peters Creek Road, Roanoke, Virginia 24019

TO : Ralph J. Mayer, DEQ - OEM

THROUGH : Aziz Farahmand, P.E., Environmental Program Manager, DEQ -WCRO *AF*
Norman L. Auldridge, Assistant Division Director, DEQ - WCRO *NA*

FROM : Elizabeth A. Lohman, Environmental Program Planner, DEQ -WCRO *EALohman*

DATE : November 16, 2001

SUBJECT : Akzo Nobel (formerly Reliance Universal)
EPA I.D. Number VAD000019828

On Wednesday, November 14, 2001, the West Central Regional Office (WCRO) waste compliance staff received a telephone call from Mr. John Altice, regarding the improper disposal of 55-gallon drums and other containers at the subject facility during the late 1970's and early 1980's. Mr. Altice alleges that the Akzo Nobel ("facility") improperly buried waste finishing materials in several hundred containers in area located near the quality assurance laboratory. Mr. Altice stated that he and other current and former employees observed the placement and covering of the containers.

Mr. Altice stated that he met with you approximately 5 years ago at the Salem Police Department to discuss the facility, and that he has had no further contact with you regarding the allegations of buried waste. Mr. Altice also stated that he has been contacted by Akzo Nobel who has offered a settlement in exchange for Mr. Altices' silence.

After a cursory file review, it was determined that Mr. Altice contacted the DEQ on October 14, 1997, to make similar allegations. A complaint file was opened under the number PR97-100131. On October 24, 1997, the WCRO waste compliance staff referred the facility to your office for investigation. The purpose of this memo is to determine whether the facility remains as an open investigation or whether the investigation was closed. The WCRO staff appreciates any information that may be provided regarding the above allegations.

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL POLLUTION REPORT

PR 95- 100- 14

10464

Call Received By: <i>Kim BATVINAS</i>	Date: <i>5 January 95</i>	Time: <i>9:25</i>
Reported By: <i>Anonymous</i>	Telephone: ()	
Address:		
City:	State:	Zip:

Site Name: <i>AZKO Nobel Products</i>	Facility ID:		
Site Address and Location: <i>(previously Alliance Universal)</i>	Telephone: ()		
<i>Roanoke Ave</i>	Lat:		
<i>Roanoke City</i>	Long:		
	Fips:		
City/County: <i>Roanoke City</i>	Region:	State: <i>VA</i>	Zip:
Contact On Scene:	Telephone: ()		
Property Owner:	Telephone: ()		

Responsible Party: <i>AKZO Nobel Coatings</i>	Telephone: ()	
Address:		
City: <i>Roanoke</i>	State: <i>VA</i>	Zip:

Description of Incident:	Date: / /
<i>Chemicals buried on site (55-gal drums)</i>	Time: :
<i>during approx 1977 - ~ 1990 behind LAB Bldg/Area.</i>	

Also, WASTE chemicals have been poured down drains.

HAS been complaining about site for several years.

(see comments on back)

CIRCLE:	Accidental Spill	<u>Intentional Dumping</u>	Sloppy Housekeeping	<u>Abandoned Materials</u>	Other
Possible Receptors/Affected Water Body:	<i>Roanoke River / Groundwater</i>				

Amount of Material:	Units:
Description of Material: <i>HAZ WASTE AS related to</i>	
<i>furniture finishing chemicals</i>	

REQUIRES IMMEDIATE ACTION

HazMat spill has potential to reach State Waters		Vessel Grounding or Collision	
Release of Petroleum Greater Than 100 Gallons Into Water		Fish Kill	
Release of Petroleum Greater Than 500 Gallons		Pipeline Release	
Potential for Water Intakes to be Impacted		Train Derailment	
Transport Tanker with Leaking Cargo		Release of Hazardous Materials/Waste	
Tire Fire		Other	

DEQ Assistance is Requested (name, phone, and agency):	
Notification to Local Government Administrator (Name/Agency)	<i>required for imminent threat</i>
	Telephone: ()

ENVIRONMENTAL POLLUTION REPORT

P 95- 100404

POLLUTANT TYPE

(check all that apply)

Petroleum	Solid	Hazardous	Water	Air	Other
LUST	MUNICIPAL	WASTE	SEWAGE	OPACITY	
ART 11	CONSTRUCTION	MATERIALS	VPDES	TOXICS	
AST	TIRES	USED OIL	NON POINT	ODOR	
	ASBESTOS	RADIOACTIVE	VPA	DUST	
	PCS	HOUSEHOLD	SEDIMENT-ERO	OPEN BURNING	
	PCBS		MINING		
	BATTERIES		FISH KILL		
	MEDICAL		ANIMAL WASTE		

Comments/Other:

Other complaints have been filed in recent years (1993). Reference files.

INVESTIGATED BY:

Date:

REFERRALS

WATER	Region:	WASTE	Region:	AIR	Region:
NAME	DATE	NAME	DATE	NAME	DATE
Reg use		Reg use	M. Scott 1-5-96	Reg use	
Reg use		Reg use		Reg use	
Reg use		Reg use		Reg use	
UST/GW		Reg use		Toxics	
Art 11		Reg use		Monitoring	
AST		VRP		Other	
VPDES		Reg use			
VPA		Tire			
Other		Other			

OTHER AGENCY REFERRAL

EPA		NRC	
VOSH		VMRC	
VDH		GIF	
DES		Other	

CLOSED

AIR
WASTE
WATER
OTHER
OERR

NAME	DATE

N^o 0102

HAZARDOUS MATERIALS INCIDENT REPORT

(REV. 9/03)

DATE: 4-JAN-96 TIME: 1947 INITIALS: RF-E HM#: _____ HAZ. CLASS: _____
 CALLER'S NAME: JAN ALTICE PHONE #: - 947-5883 AGENCY: ROANOKE
 INCIDENT LOCATION: NORFOLK ROANOKE AVE
 CONTACT NAME: _____ DIO ON-SCENE: _____
 JURISDICTION: ROANOKE HAZ-MAT AREA: S
 PRODUCT(S) INVOLVED: UNK CHEMS EMS? YES NO
 (If yes, see back of form)
 FORM: SOLID _____ LIQUID X GAS _____ QUANTITY LOST: UNK () GALLONS () POUNDS
 CHEMICAL NAME: _____ TRADE NAME: _____
 ID NUMBERS: UN# _____ CAS# _____ STCC# _____
 DATE/TIME INCIDENT OCCURRED: 1996 DURATION OF SPILL: _____
 TYPE OF MEDIA AFFECTED: AIR: _____ LAND: _____ WATER: _____ WATERWAY: _____ FISH KILL: YES _____ NO _____
 DEQ-WATER NOTIFIED?: YES _____ NO _____ PROFS: _____ DUTY OFFICER: _____

SITUATION DESCRIPTION: DUMPING OF MATERIALS INTO SINKHOLE OVER
PERIOD OF YEARS. DRUMS BURIED. REQUESTS CALL

TYPE OF CONTAINER

DRUM _____ BOX/CRATE _____ SADDLE TANK _____ ABOVE GROUND TANK _____ UNDERGROUND TANK _____ TRANSFORMER _____ CARBOY _____
 PIPELINE _____ SHIP/BARGE _____ RAIL TANK CAR _____ CASK TANK _____ BOX TRUCK _____ INTERMODAL _____ CYLINDER _____ BOTTLE _____
 UNKNOWN _____
 PRESSURE _____ NON-PRESSURE _____ ID MARKS: _____

CONDITIONS:

LEAKED _____ LEAKING _____ ON FIRE _____ SPILLED _____ OVERFILL _____ ILLEGAL DUMP X NOT LEAKING _____ UNKNOWN _____

OTHER (SPECIFY):

EVACUATION CONDUCTED? YES _____ NO _____ IF YES, WHAT DISTANCE? _____

INJURIES? YES _____ NO _____ IF YES, HOW MANY? _____

RESPONSE

HMO RESPONDING? YES _____ NO _____ / TYPE OF RESPONSE: EMERGENCY _____ INVESTIGATIVE _____ / TIME OUT: _____ IN SERVICE: _____

LEVEL II-E/III TEAM RESPONDING? YES _____ NO _____ TEAM: _____ TIME NOTIFIED: _____

NOTIFICATIONS

(1) HAZ-MAT OFFICER	NAME: <u>CLARKE</u>	TIME PAGED: _____	TIME NOTIFIED: _____
(2) HAZ-MAT FIELD MANAGER	NAME: _____	TIME PAGED: _____	TIME NOTIFIED: _____
(3) TECH HAZARDS DIRECTOR	NAME: _____	TIME PAGED: _____	TIME NOTIFIED: _____
(4) OPERATIONS DUTY OFFICER	NAME: _____	TIME PAGED: _____	TIME NOTIFIED: _____

OTHER NOTIFICATIONS

AGENCY <u>DEQ</u>	NAME: _____	TIME PAGED: _____	TIME NOTIFIED: _____
AGENCY _____	NAME: _____	TIME PAGED: _____	TIME NOTIFIED: _____
AGENCY _____	NAME: _____	TIME PAGED: _____	TIME NOTIFIED: _____
AGENCY _____	NAME: _____	TIME PAGED: _____	TIME NOTIFIED: _____

HMIR93.V1

Virginia Department of Emergency Services

Referred to waste

A4 -> A4



COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE: 1-5-96

TO: Mike Scott

FROM: Ray M. Mager

NO. OF PAGES: (Including Cover) 2

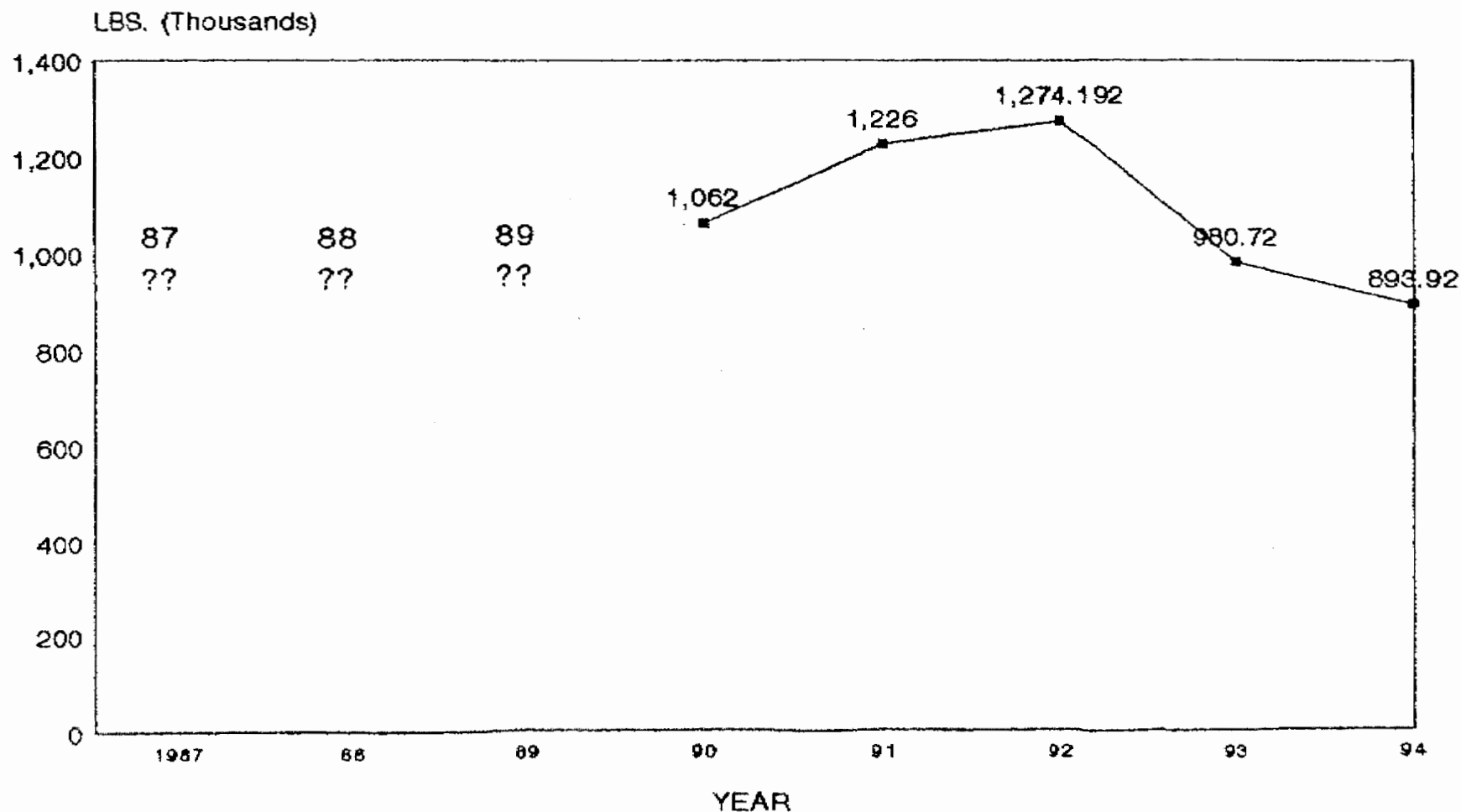
SPECIAL INSTRUCTIONS:

AKZO NOBEL COATING, INC.

VAD000019828

D001, F003, & F005

→ QTY. HW GENERATED





7

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Peter W. Schmidt
Director

Brammer Village
3035-E Peters Creek Road, NW
Roanoke, VA 24019
(703) 562-3555

Thomas L. Henderson
Regional Director

February 28, 1995

Mr. Ken Swint
Axel Nobel Coatings
PO Box 7062
Troy MI 48007-7062

Dear Mr. Swint:

This letter is in response to your recent inquiry for information on solid waste recycling and disposal.

The Virginia Solid Waste Management Regulations (VSWMR), Business and Industry Guide to Environmental Permits in Virginia, and information on waste prevention and reduction are enclosed. I hope this information will be of help.

If I may be of any further assistance, please feel free to call me at (703) 562-3555.

Sincerely,

A handwritten signature in cursive script that reads "Kimberly Batwinas".

Kimberly Batwinas
Environmental Inspector Sr.
Waste Division

Enclosures

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL OR ENTER:

SITE NAME: AKZO Nobel Coatings INC.EPA ID NO: VIAID 10010 10119 81281U.S. ENVIRONMENTAL
PROTECTION AGENCY

1992

1993 Hazardous Waste Report

FORM
ICIDENTIFICATION AND
CERTIFICATION

INSTRUCTIONS: Read the detailed instructions beginning on page 9 of the 1993 Hazardous Waste Report booklet before completing this form.

Sec. I Site name and location address. Complete A through H. Check the box ☐ in items A, C, E, F, G, and H if same as label; if different, enter corrections. If label is absent, enter information. Instruction page 10.

A. EPA ID No.

Same as label ☐ or - VIAID 10010 10119 81281

B. County

Roanoke

C. Site/company name

Same as label ☐ or - AKZO Nobel Coatings INC.

D. Has the site name associated with this EPA ID changed since 1981?

☒ Yes☐ No

E. Street name and number. If not applicable, enter industrial park, building name, or other physical location description.

Same as label ☐ or - 2832 Roanoke Ave. S.W.

F. City, town, village, etc.

Same as label ☐ or - Roanoke

G. State

Same as label

VA

H. Zip Code

Same as label

241015-0637

Sec. II Mailing address of site. Instruction page 10.

P.O. Box 4627

A. Is the mailing address the same as the location address?

☐ Yes (SKIP TO SEC. III)☒ No (GO TO BOX B)

B. Number and street name of mailing address

P.O. Box 4627

C. City, town, village, etc.

Roanoke

D. State

VA

E. Zip Code

241015-0637

Sec. III Name, title, and telephone number of the person who should be contacted if questions arise regarding this report. Instruction page 10.

A. Please print: Last Name First name MI

Winkler Sam N.

B. Title

HSE Manager

C. Telephone

703 982-8130Extension 1340

Sec. IV "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties under Section 3006 of the Resource Conservation and Recovery Act for submitting false information, including the possibility of fine and imprisonment for knowing violations."

A. Please print: Last Name First name MI

Winkler Sam N.

B. Title

HSE Manager

C. Signature

D. Date of signature

10 12 94

MO. DAY YR.

Sec. V - Generator Status

EPA ID NO. VIAID 0000 011918128

A. 1993 RCRA generator status:

Instruction page 10.

(CHECK ONE BOX BELOW)

- ☒ 1 LQG
☐ 2 SQG
☐ 3 CSQG
☐ 4 New generator (Continue to Box B)

SKIP to SEC. VI

B. Reason for not generating

Page 12.

(CHECK ALL THAT APPLY)

- ☐ 1 Never generated
☐ 2 Out of business
☐ 3 Only excluded or delisted waste
☐ 4 Only non-hazardous waste
☐ 5 Periodic or occasional generator
☐ 6 Waste minimization activity
☐ 7 Other (SPECIFY COMMENTS IN BOX BELOW)

Sec. VI - On-Site Waste Management Status

A. Storage subject to RCRA permitting requirements: Page 13.

1

B. Treatment, disposal, or recycling subject to RCRA permitting requirements: Page 13.

1

C. RCRA-exempt treatment, disposal, or recycling: Page 13.

Sec. VII - Waste Minimization Activity during 1992 or 1993

A. Did this site begin or expand a source reduction activity during 1992 or 1993? Page 14.

- ☒ 1 Yes
☐ 2 No

B. Did this site begin or expand a recycling activity during 1992 or 1993? Page 15.

- ☒ 1 Yes
☐ 2 No

C. Did this site systematically investigate opportunities for source reduction or recycling during 1992 or 1993? Page 15.

- ☒ 1 Yes
☐ 2 No

D. Did any of the factors listed below delay or limit this site's ability to initiate new or additional source reduction activities in 1992 or 1993? Page 15.
(CHECK YES OR NO FOR EACH ITEM)

- | Yes | No | |
|----------------------------|---------------------------------------|--|
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | a. Insufficient capital to install new source reduction equipment or implement new source reduction practices |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | b. Lack of technical information on source reduction techniques applicable to the specific production processes |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | c. Source reduction is not economically feasible: cost savings in waste management or production will not recover the capital investment |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | d. Concern that product quality may decline as a result of source reduction |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | e. Technical limitations of the production processes |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | f. Permitting burdens |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | g. Source reduction previously implemented - additional reduction does not appear to be technically feasible |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | h. Source reduction previously implemented - additional reduction does not appear to be economically feasible |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | i. Source reduction previously implemented - additional reduction does not appear to be feasible due to permitting requirements |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | j. Other (SPECIFY COMMENTS IN BOX BELOW) |

E. Did any of the factors listed below delay or limit the site's ability to initiate new or additional on-site or off-site recycling activities during 1992 or 1993? Page 15.
(CHECK YES OR NO FOR EACH ITEM)

- | Yes | No | | Yes | No | |
|----------------------------|---------------------------------------|---|----------------------------|---------------------------------------|--|
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | a. Insufficient capital to install new recycling equipment or implement new recycling practice | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | g. Technical limitations of production processes inhibit shipments off site for recycling |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | b. Lack of technical information on recycling techniques applicable to this site's specific production process | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | h. Technical limitations of production processes inhibit on-site recycling |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | c. Recycling is not economically feasible: cost savings in waste management will not recover the capital investment | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | i. Permitting burdens inhibit recycling |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | d. Concern that product quality may decline as a result of recycling | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | j. Lack of permitted off-site recycling facilities |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | e. Requirements to manifest wastes inhibit shipments off-site for recycling | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | k. Unable to identify a market for recycled materials |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | f. Financial liability provisions inhibit shipments off-site for recycling | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | l. Recycling previously implemented - additional recycling does not appear to be technically feasible |
| | | | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | m. Recycling previously implemented - additional recycling does not appear to be economically feasible |
| | | | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | n. Recycling previously implemented - additional recycling does not appear to be feasible due to permitting requirements |
| | | | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 2 | o. Other (SPECIFY COMMENTS IN BOX BELOW) |

Comments:

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL OR ENTER:

SITE NAME: AKZO Nobel Contingents Inc

EPA ID NO: VIAD 0010 10119 181218

U.S. ENVIRONMENTAL
PROTECTION AGENCY1992
1993 Hazardous Waste ReportFORM
GMWASTE GENERATION
AND MANAGEMENT

INSTRUCTIONS: Read the detailed instructions beginning on page 16 of the 1993 Hazardous Waste Report booklet before completing this form.

Sec. I A. Waste description - Instruction page 18. <u>Paint manufacture</u> <u>Hazardous Waste Solvent</u> <u>F003 F005 D001</u>					
B. EPA hazardous waste code Page 18. <u>F10103</u> <u>F10105</u> <u>D10101</u>			C. State hazardous waste code Page 18. <u>NA</u>		
D. SIC code Page 18. <u>2851</u>	E. Origin code <u>L</u> Page 18 System Type <u>LM</u>	F. Source code Page 20. <u>A109</u>	G. Point of measurement Page 20. <u>2</u>	H. Form code Page 20. <u>B12109</u>	I. RCRA - radioactive mixed Page 20. <u>2</u>

Sec. II A. Quantity generated in 1989 <u>1991</u> Instruction Page 21.		B. Quantity generated in 1989 <u>1992</u> Page 21.		C. UOM Page 21. <u>S</u>	Density <u>8.00</u> <input checked="" type="checkbox"/> 1 lbs/gal <input type="checkbox"/> 2 sg	D. Did this site do any of the following to this waste: treat on site, dispose on site, recycle on site, or discharge to a sewer/POTW? Page 21. <input type="checkbox"/> 1 Yes (CONTINUE TO SYSTEM 1) <input checked="" type="checkbox"/> 2 No (SKIP TO SEC. III)
<u>159274</u>		<u>195927</u>		ON-SITE PROCESS SYSTEM 1		
On-site process system type Page 22. <u>LM</u>		Quantity treated, disposed, or recycled on site in 1983 <u> </u>		ON-SITE PROCESS SYSTEM 2		
On-site process system type Page 22. <u>LM</u>		Quantity treated, disposed, or recycled on site in 1983 <u> </u>		On-site process system type Page 22. <u>LM</u>		

Sec. III A. Was any of this waste shipped off-site in 1989 <u>1992</u> ? <input checked="" type="checkbox"/> 1 Yes (CONTINUE TO BOX B) Instruction page 23. <input type="checkbox"/> 2 No (SKIP TO SEC. IV)					
Site 1	B. EPA ID No. of facility waste was shipped to Page 23. <u>VIAD 077 9142 366</u>	C. System type shipped to Page 23. <u>LM1051</u>	D. Off-site availability code Page 23. <u>1</u>	E. Total quantity shipped in 1989 <u>1992</u> Page 23. <u>167308</u>	
Site 2	B. EPA ID No. of facility waste was shipped to Page 23. <u>SCD 003 368 891</u>	C. System type shipped to Page 23. <u>LM1041</u>	D. Off-site availability code Page 23. <u>1</u>	E. Total quantity shipped in 1989 <u>1992</u> Page 23. <u>28619</u>	

Sec. IV A. Did new activities in 1989 <u>1992</u> result in minimization of this waste? <input type="checkbox"/> 1 Yes (CONTINUE TO SYSTEM 1) Instruction page 24. <input checked="" type="checkbox"/> 2 No (THIS FORM IS COMPLETE)					
B. Activity Page 24. <u>W</u> <u>W</u> <u>W</u> <u>W</u>	C. Other effects Page 24. <input type="checkbox"/> 1 Yes <input type="checkbox"/> 2 No	D. Quantity recycled in 1989 <u>1992</u> Page 25. <u> </u>	E. Activity/production index Page 25. <u> </u>	F. 1983 source reduction quantity Page 28. <u>1992</u>	

Comments:

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL OR ENTER:

SITE NAME: AKZO Nobel Coatings INC.EPA ID NO: VIAID 0010 0119 8128U.S. ENVIRONMENTAL
PROTECTION AGENCY

1993 Hazardous Waste Report

FORM
ICIDENTIFICATION AND
CERTIFICATION

INSTRUCTIONS: Read the detailed instructions beginning on page 9 of the 1993 Hazardous Waste Report booklet before completing this form.

Sec. I Site name and location address. Complete A through H. Check the box ☐ in items A, C, E, F, G, and H if same as label; if different, enter corrections. If label is absent, enter information. Instruction page 10.

A. EPA ID No. Same as label <input type="checkbox"/> or - <u>VIAID 0010 0119 8128</u>		B. County <u>Roanoke</u>
C. Site/company name Same as label <input type="checkbox"/> or - <u>AKZO Nobel Coatings INC.</u>		D. Has the site name associated with this EPA ID changed since 1991? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
E. Street name and number. If not applicable, enter industrial park, building name, or other physical location description. Same as label <input type="checkbox"/> or - <u>2837 Roanoke Ave. S.W.</u>		
F. City, town, village, etc. Same as label <input type="checkbox"/> or - <u>Roanoke</u>	G. State Same as label <input type="checkbox"/> or - <u>VIA</u>	H. Zip Code Same as label <input type="checkbox"/> or - <u>24101-0637</u>

Sec. II Mailing address of site. Instruction page 10.

P.O. Box 4627A. Is the mailing address the same as the location address? ☐ 1 Yes (SKIP TO SEC. III)
☒ 2 No (GO TO BOX B)

B. Number and street name of mailing address

P.O. Box 4627

C. City, town, village, etc. <u>Roanoke</u>	D. State <u>VIA</u>	E. Zip Code <u>24101-0627</u>
--	------------------------	----------------------------------

Sec. III Name, title, and telephone number of the person who should be contacted if questions arise regarding this report. Instruction page 10.

A. Please print: Last Name First name MI <u>Winkler Sam N.</u>	B. Title <u>HSE Manager</u>	C. Telephone <u>703 982-8130</u> Extension <u>1240</u>
---	--------------------------------	--

Sec. IV "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties under Section 3008 of the Resource Conservation and Recovery Act for submitting false information, including the possibility of fine and imprisonment for knowing violations."

A. Please print: Last Name First name MI <u>Winkler Sam N.</u>	B. Title <u>HSE Manager</u>
C. Signature <u>Sam N. Winkler</u>	D. Date of signature <u>11/17/94</u> MO. DAY YR.

Sec. V - Generator Status

EPA ID NO. VIAID 0106 0119 8128

A. 1983 RCRA generator status:

Instruction page 10.

(CHECK ONE BOX BELOW)

☒ 1 LQG☐ 2 SQG☐ 3 CESQS☐ 4 Non generator (Continue to Box B)

SKIP to SEC. VI

B. Reason for not generating:

Page 12.

(CHECK ALL THAT APPLY)

☐ 1 Never generated☐ 2 Out of business☐ 3 Only excluded or delisted waste☐ 4 Only non-hazardous waste☐ 5 Periodic or occasional generator☐ 6 Waste minimization activity☐ 7 Other (SPECIFY COMMENTS IN BOX BELOW)

Sec. VI - On-Site Waste Management Status

A. Storage subject to RCRA permitting requirements: Page 13.

1

B. Treatment, disposal, or recycling subject to RCRA permitting requirements: Page 13.

1

C. RCRA-exempt treatment, disposal, or recycling: Page 13.

1

Sec. VII - Waste Minimization Activity during 1992 or 1993

A. Did this site begin or expand a source reduction activity during 1992 or 1993? Page 14.☒ 1 Yes☐ 2 NoB. Did this site begin or expand a recycling activity during 1992 or 1993? Page 15.☒ 1 Yes☐ 2 NoC. Did this site systematically investigate opportunities for source reduction or recycling during 1992 or 1993? Page 15.☒ 1 Yes☐ 2 NoD. Did any of the factors listed below delay or limit this site's ability to initiate new or additional source reduction activities in 1992 or 1993? Page 15.
(CHECK YES OR NO FOR EACH ITEM)

Yes

No

☐ 1☒ 2

a. Insufficient capital to install new source reduction equipment or implement new source reduction practices.

☐ 1☒ 2

b. Lack of technical information on source reduction techniques applicable to the specific production processes.

☐ 1☒ 2

c. Source reduction is not economically feasible; cost savings in waste management or production will not recover the capital investment.

☐ 1☒ 2

d. Concern that product quality may decline as a result of source reduction.

☐ 1☒ 2

e. Technical limitations of the production processes.

☐ 1☒ 2

f. Permitting burdens.

☐ 1☒ 2

g. Source reduction previously implemented - additional reduction does not appear to be technically feasible.

☐ 1☒ 2

h. Source reduction previously implemented - additional reduction does not appear to be economically feasible.

☐ 1☒ 2

i. Source reduction previously implemented - additional reduction does not appear to be feasible due to permitting requirements.

☐ 1☒ 2

j. Other (SPECIFY COMMENTS IN BOX BELOW)

E. Did any of the factors listed below delay or limit the site's ability to initiate new or additional on-site or off-site recycling activities during 1992 or 1993? Page 15.

(CHECK YES OR NO FOR EACH ITEM)

Yes

No

☐ 1☒ 2

a. Insufficient capital to install new recycling equipment or implement new recycling practices.

☐ 1☒ 2

b. Lack of technical information on recycling techniques applicable to this site's specific production process.

☐ 1☒ 2

c. Recycling is not economically feasible; cost savings in waste management will not recover the capital investment.

☐ 1☒ 2

d. Concern that product quality may decline as a result of recycling.

☐ 1☒ 2

e. Requirements to manifest wastes inhibit shipments of off-site for recycling.

☐ 1☒ 2

f. Financial liability provisions inhibit shipments off-site for recycling.

☐ 1☒ 2

g. Technical limitations of production processes inhibit shipments of site for recycling.

☐ 1☒ 2

h. Technical limitations of production processes inhibit on-site recycling.

☐ 1☒ 2

i. Permitting burdens inhibit recycling.

☐ 1☒ 2

j. Lack of permitted off-site recycling facilities.

☐ 1☒ 2

k. Unable to identify a market for recycled materials.

☐ 1☒ 2

l. Recycling previously implemented - additional recycling does not appear to be technically feasible.

☐ 1☒ 2

m. Recycling previously implemented - additional recycling does not appear to be economically feasible.

☐ 1☒ 2

n. Recycling previously implemented - additional recycling does not appear to be feasible due to permitting requirements.

☐ 1☒ 2

o. Other (SPECIFY COMMENTS IN BOX BELOW)

Yes

No

☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2☐ 1☒ 2

Comments:

BEFORE COPYING FORM, ATTACH SITE IDENTIFICATION LABEL OR ENTER:

SITE NAME: AKZO Nobel Contingy Inc.EPA ID NO: VIAID 0101011918218U.S. ENVIRONMENTAL
PROTECTION AGENCY

1993 Hazardous Waste Report

FORM
GMWASTE GENERATION
AND MANAGEMENT

INSTRUCTIONS: Read the detailed instructions beginning on page 16 of the 1993 Hazardous Waste Report booklet before completing this form.

Sec. I A. Waste description - Instruction page 18. <u>Hazardous Waste Solvent F003 F005 D001</u>					
B. EPA hazardous waste code Page 18. <u>F003 F005</u> <u>D001</u>			C. State hazardous waste code Page 19. <u>NA</u>		
D. SIC code Page 18. <u>2851</u>	E. Origin code <u>1</u> Page 19 System Type <u>LM</u>	F. Source code Page 20. <u>A019</u>	G. Point of measurement Page 20. <u>2</u>	H. Form code Page 20. <u>B2019</u>	I. RCRA - radioactive mixed Page 20. <u>2</u>

Sec. II A. Quantity generated in 1992 Instruction Page 21. <u>11951927</u>	B. Quantity generated in 1993 Page 21. <u>11225910</u>	C. UOM Page 21. <u>5</u> <u>18.1010</u> <input checked="" type="checkbox"/> lbs/gal <input type="checkbox"/> 2 sq	D. Did this site do any of the following to this waste: treat on site, dispose on site, recycle on site, or discharge to a sewer/POTW? Page 21. <input type="checkbox"/> 1 Yes (CONTINUE TO SYSTEM 1) <input checked="" type="checkbox"/> 2 No (SKIP TO SEC. III)
ON-SITE PROCESS SYSTEM 1 On-site process system type Page 22. <u>LM</u>		ON-SITE PROCESS SYSTEM 2 On-site process system type Page 22. <u>LM</u>	
Quantity treated, disposed, or recycled on site in 1993 <u>11225910</u>		Quantity treated, disposed, or recycled on site in 1993 <u>11225910</u>	

Sec. III A. Was any of this waste shipped off-site in 1993 <input checked="" type="checkbox"/> Yes (CONTINUE TO BOX B) Instruction page 23. <input type="checkbox"/> 2 No (SKIP TO SEC IV)				
Site 1	B. EPA ID No. of facility waste was shipped to Page 23. <u>VIAID 022942266</u>	C. System type shipped to Page 23. <u>LM051</u>	D. Off-site availability code Page 23. <u>1</u>	E. Total quantity shipped in 1993 Page 23. <u>1175910</u>
Site 2	B. EPA ID No. of facility waste was shipped to Page 23. <u>NICD 98108421132</u>	C. System type shipped to Page 23. <u>LM061</u>	D. Off-site availability code Page 23. <u>1</u>	E. Total quantity shipped in 1993 Page 23. <u>15101010</u>

Sec. IV A. Did new activities in 1993 result in minimization of this waste? <input checked="" type="checkbox"/> Yes (CONTINUE TO SYSTEM 1) Instruction page 24. <input type="checkbox"/> 2 No (THIS FORM IS COMPLETE)					
B. Activity Page 24. <u>W11</u> <u>W14</u> <u>W13</u> <u>W1</u>	C. Other effects Page 24. <input type="checkbox"/> 1 Yes <input checked="" type="checkbox"/> 2 No	D. Quantity recycled in 1993 due to new activities Page 25. <u>N/A</u>	E. Activity/production index Page 25. <u>1.0</u>	F. 1993 source reduction quantity Page 26. <u>23332</u>	

Comments:



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Peter W. Schmidt
Director

Waste Management Regional Office
Brammer Village
3035-E Peters Creek Road, NW
Roanoke, VA 24019
(703) 562-3555

Thomas L. Henderson
Regional Director

October 14, 1994

Mr. Sam Winkler
Akzo Nobel Coatings Inc.
Roanoke, VA 24015-0627

RE: Annual Report
EPA ID # VAD000019828

Dear Mr. Winkler:

A review of our data base indicates that your facility has previously notified the Department as a large quantity generator of hazardous waste. The Virginia Hazardous Waste Management Regulations (VHWMR § 6.5.B) require large quantity generators to submit an annual report to the Director no later than March 1 for the proceeding calendar year. Your facility has not submitted a report for 1992 or 1993.

Please submit to the Department the above referenced report within 30 days upon receipt of this letter. If you need forms or assistance, please call me at (703) 562-3555.

Sincerely,

A handwritten signature in cursive script that reads "Michael T. Scott".

Michael T. Scott
Environmental Inspector Sr.



ACKNOWLEDGEMENT OF NOTIFICATION
OF REGULATED WASTE ACTIVITY
(VERIFICATION)

This is to acknowledge that you have filed a Notification of Regulated Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER

VA0000019828

08/15/94

INSTALLATION ADDRESS

AKZO NOBEL COATINGS INC
2837 ROANOKE AVE
ROANOKE, VA 24015
SAM WINKLER ENVIR MGR

2837 ROANOKE AVE
ROANOKE, VA 24015



Coatings Division

July 14, 1994

DEPT OF
ENVIRONMENTAL QUALITY

JUL 20 1994

OWRM/COMPLIANCE

Department of Environmental Quality
P.O. Box 10009
Richmond, VA 23240

Attention: Claire Slaughter

RE: Name change for Akzo Coatings Inc.
EPA ID# VAD000019828

Please make a correction in the proper name for Akzo
Coatings. The new correct name is:

Akzo Nobel Coatings Inc.

Thank you for your assistance. If there are any questions
please contact me at (703) 982-8301.

Sincerely,

Sam Winkler
Health Safety Environmental Director

SN/ph
cc: DEQ Regional Office - Roanoke



Coatings Division

July 14, 1994



Department of Environmental Quality
P.O. Box 10009
Richmond, VA 23240

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EPA ID# VAD000019828

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please contact me at (703) 982-8301.

Sincerely,



Sam Winkler
Health Safety Environmental Director

SN/ph
cc: DEQ Regional Office - Roanoke

Reliance

Akzo Nobel Coatings Inc.
2837 Roanoke Ave., S.W.
P.O. Box 4627
Roanoke, VA 24015-0627
Tel. (703) 982-8301
FAX (703) 343-3863



ORIGINAL
FILE COPY
Coatings Division

July 14, 1994



Department of Environmental Quality
P.O. Box 10009
Richmond, VA 23240

Attention: Claire Slaughter

RE: Name change for Akzo Coatings Inc.
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Sincerely,

Sam Winkler
Health Safety Environmental Director

SN/ph
cc: DEQ Regional Office - Roanoke

Reliance

Akzo Nobel Coatings Inc
2837 Roanoke Ave., S.W.
P.O. Box 4627
Roanoke, VA 24015-0627
Tel. (703) 982-8301
FAX (703) 343-3863



COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

Richard M. Burton
Director

Water Regional Office
3015 Peters Creek Road
Post Office Box 7017
Roanoke, Virginia 24019
(703) 562-3666

Neil A. Obenshain
Regional Director

January 21, 1994

Mr. Tony Marsico, Plant Manager
AKZO Coatings, Inc.
P.O. Box 4627
Roanoke, VA 24015

RE: Pretreatment Program - Inspection

Dear Mr. Marsico:

Attached for your review is a copy of the inspection report on the wastewater facilities at AKZO Coatings in Roanoke. The inspection was conducted on January 13, 1994.

In particular, please note the recommendations, requirements, and comments on page I-6 of the report. It is requested that, within 30 days, you provide a written response to the City of Roanoke addressing each of the items listed in this section. Your response should also be copied to this office.

Should you have any questions about the inspection report, please feel free to call.

Sincerely,

A handwritten signature in cursive script, reading "Robert K. Johnson", is written over the typed name.

Robert K. Johnson
Pretreatment Engineer

Attach.

Copies: C. M. Swan-WRO
LaVern Corkran-OEA
Martin Sensabaugh-City of Roanoke
DEQ-Waste Management, Roa.

APPENDIX I

DEPARTMENT OF ENVIRONMENTAL QUALITY

CHECKLIST FOR INSPECTION OF SIGNIFICANT DISCHARGERS

A. General Information

Industry Name: AKZO COATINGS, INC. Permit # 20450

Site Address: 2837 ROANOKE AVE., S.W.
ROANOKE, VA 24015

Correspondence address: P.O. BOX 4627
ROANOKE, VA 24015

Name of receiving POTW: ROANOKE STP

Date of inspection: JANUARY 13, 1994 10 am

Participants: _____

Name	Title	Phone No.
1) Principal Reviewer: <u>R.K. JOHNSON, PRETREATMENT ENGINEER, DEQ (703)562-3666</u>		
2) SD Contact: <u>SAM WINKLER, HEALTH, SAFETY, ENV. MANAGER, AKZO (703)982-8301</u>		
3) POTW Representative: <u>MARTIN SENSABAUGH, PRETREAT. INSPEC. (703)981-2491</u>		
4) Other: _____		

Is the SD subject to categorical pretreatment standards? _____ Yes X No

If yes, list standards and applicable subcategories: N/A

Type of operation or products and applicable Standard Industrial Classification (SIC) code(s): MANUFACTURING OF COATINGS FOR THE FURNITURE AND KITCHEN CABINET INDUSTRY (SIC CODE: 2851)

Date that industry was established on site: INDUSTRY WAS ESTABLISHED ~1925 UNDER THE NAME SOUTHERN VARNISH, BECAME RELIANCE UNIVERSAL IN 1959, AND NOW IS OPERATED UNDER THE NAME AZKO COATINGS.

Number of employees per shift: ~136

Total daily flow of industrial waste: 0 GPD (TO BE VERIFIED)

Daily flow of sanitary waste: ~2,720 GPD

Are the sanitary and industrial wastewater streams combined? Yes No N/A

Prior to wastewater treatment? Yes No N/A

Prior to connecting to the POTW sanitary sewer? Yes No N/A

Sketch or attach a schematic of all wastewater discharge lines which combine to flow to the POTW system. Superimpose this schematic on a site plan or floor plan of the facility if possible.

SEE ATTACHED PLAN. REPORTEDLY, ONLY SANITARY WASTEWATER IS DISCHARGED TO THE POTW, BUT AT THE TIME OF THE INSPECTION THERE WAS SOME UNCERTAINTY ABOUT WHERE THE COOLING WATER FOR THE GRINDING PROCESSES WAS BEING DIRECTED.

B. Industrial Processes and Pretreatment

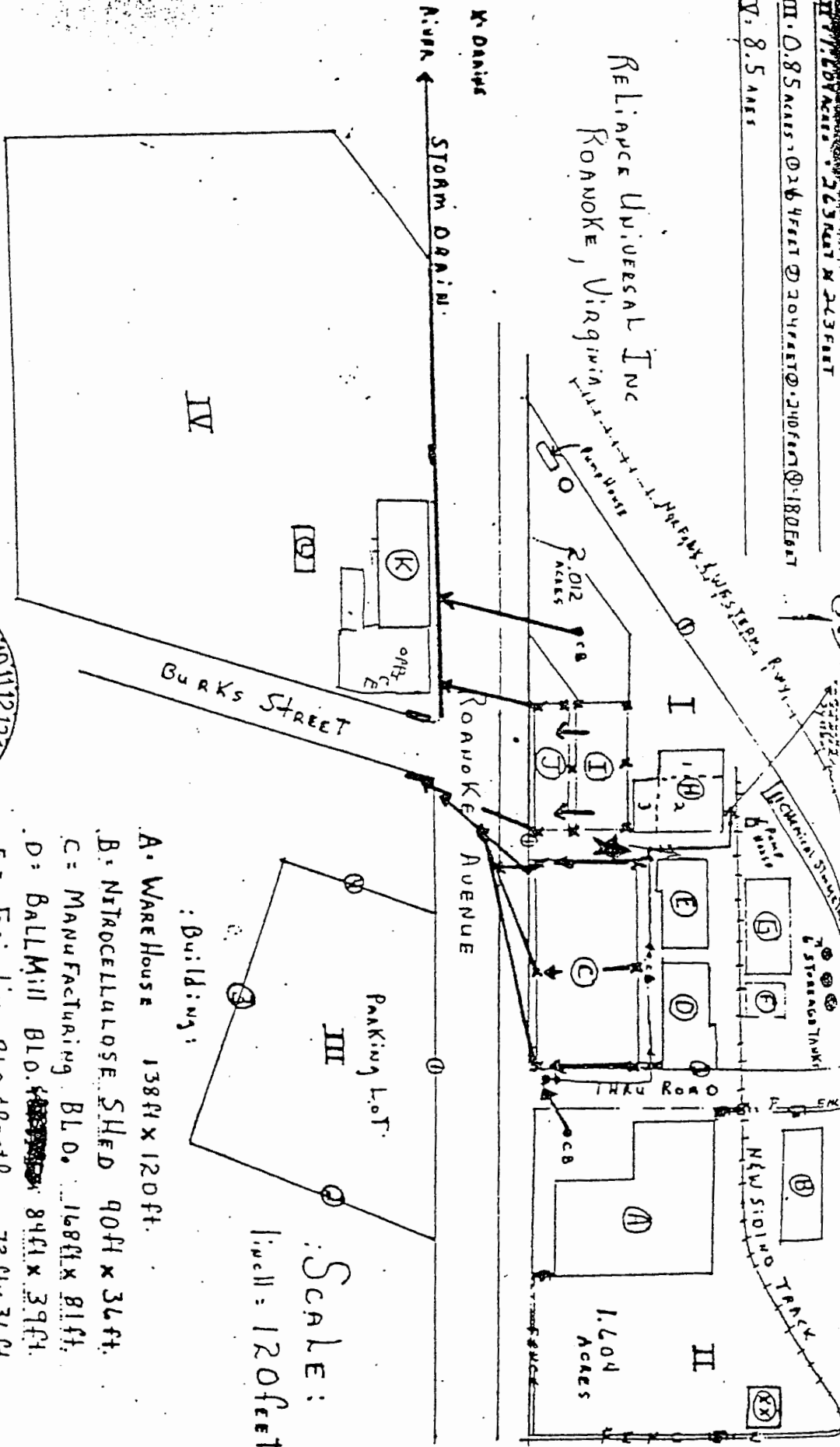
Describe the basic industrial process and any constituent unit operations. Include auxiliary or utility processes, such as boiler or cooling tower blowdown and heating or cooling streams which discharge to the POTW. Sketch or attach a block process flow diagram, noting which process steps generate wastewater. Indicate which of these wastewater streams receive some form of pretreatment. Have shell-and-tube condensers been considered for the replacement of any contact barometric condensers?

N/A - THE COMPANY MANUFACTURES SURFACE COATING SUCH AS LACQUER, SEALER, STAINS, AND ENAMEL USING RESINS, SOLVENTS, AND PIGMENTS, BUT REPORTEDLY, NO INDUSTRIAL WASTEWATER IS DISCHARGED TO THE POTW FROM THE MANUFACTURING OPERATION.

AS NOTED ABOVE, IT IS UNCLEAR AS TO WHERE THE NON-CONTACT COOLING WATER USED IN THE GRINDING PROCESSES IS DISCHARGED.

III. 0.85 ACRES @ 26' 4" FEET @ 20' 4" FEET @ 210' 0" FEET @ 180' 0" FEET
IV. 8.5 ACRES

Reliance Universal Inc
Roanoke, Virginia



Building:

Scale:
1 inch = 120 feet

- A. Warehouse 138 ft x 120 ft.
- B. Nitrocellulose Shed 90 ft x 36 ft.
- C. Manufacturing Bldg. 168 ft x 81 ft.
- D. Ball Mill Bldg. 84 ft x 39 ft.
- E. Grinding Bldg. 72 ft x 36 ft.
- F. Break Room 33 ft x 27 ft.
- G. Warehouse 78 ft x 36 ft.
- H. 1. Boiler Room 48 ft x 36 ft.
- I. Shipping Dock 102 ft x 42 ft.
- J. Offices 102 ft x 24 ft.
- K. Laboratory 100 ft x 48 ft.
- L. Lab. Storage Shed 34 ft x 18 ft.

WASTE

(X) = Past Storage Area

(XX) = Present Waste Storage Area

G = Gate

★ = Sampling manhole



List pollutants at the plant, categorized as follows: (1) pollutants that come into direct contact with the water that is discharged to the POTW and, (2) pollutants that do not come into direct contact, but have the potential to enter through spills, malfunctions, etc.

(1) N/A (2) _____
 (2) SMALL QUANTITIES OF PAINTS, ETC.* (2) _____
 (2) _____ (2) _____
 (2) _____ (2) _____

*FLOOR DRAINS IN THE LABORATORY MAY BE CONNECTED TO THE SANITARY SEWER. (ALSO, SEE ATTACHED SPILL PLAN FOR LIST OF CHEMICALS STORED ON SITE. HOWEVER, IT DOES NOT APPEAR THAT THE MATERIALS IN 55-G. DRUMS AND BULK STORAGE TANKS HAVE ACCESS TO THE SANITARY SEWER.)

Does the facility have any air pollution control equipment which generates wastestreams? _____ Yes X No.

If yes, describe the flow rate, composition, and the discharge method and location: N/A

Is the facility a RCRA Hazardous Waste generator (either through the basic process or residuals from treatment processes)? X Yes _____ No

Has the POTW notified the industry of RCRA obligations? X Yes _____ No

Describe the methods for handling, storing, and disposing of solid waste residuals. (Record name and business address of any contract haulers): _____

MATERIAL	STORAGE	HAULER	DISPOSER	COMMENTS
WASTE SOLVENT/ THINNERS/PRODUCT	10,000 G. BULK STORAGE TANK	OLDOVER CORP.; ECOFLO, INC.	SAME	(~450 GPD)
TRASH, PAINT FILTERS	DUMPSTER	WASTE MANAGEMENT		

*HAULER/DISPOSER ADDRESSES:

OLDOVER CORP. - RT 1, BOX 101, CASCADE, VA 24069

ECOFLO, INC. - 2750 PATTERSON ST., GREENSBORO, NC 27407

WASTE MANAGEMENT OF VIRGINIA-BLUE RIDGE - 2508 W. MAIN ST. SALEM, VA 24153

Describe the pretreatment system used by the facility. If the system has multiple process steps, provide a block diagram indicating the treatment steps and their sequence. Attach copies of vendor specifications and drawings, and actual operating data, if these are available: N/A

Is the pretreatment facility properly operated and maintained? (Pertinent characteristics to check might include the availability of standby power, alarm systems, operational manuals, calibration of control instrumentation, and disposal of sludges and routing of liquid return from sludge dewatering equipment.) N/A

C. Sampling

Does the facility have a control manhole for sampling access?

X Yes No. If so, where is it located. (If possible, note on the wastewater discharge schematic for Section A of this checklist).

SEE ATTACHED DIAGRAM. THE SAMPLING POINT IS A MANHOLE LOCATED IN AN ALLEY BETWEEN BUILDINGS E AND H.

Does such a control manhole provide access to a wastestream that is "end-of-pipe" for the industry before discharge to the POTW? X Yes No

Is this wastestream a combined process wastestream? Yes X No

N/A - REPORTEDLY, SANITARY DISCHARGE ONLY

If yes, are the wastestreams combined prior to pretreatment? Yes No N/A

If the industry has several waste streams regulated by categorical standards, are other safe locations available that are appropriate for sampling at the end of these processes? N/A

Are flow meters and pH meters properly calibrated? Yes No N/A
Date of last calibration

If there is not a safe and practical alternative to sampling a combined wastestream, accurate flow rates for the regulated process streams and any dilution flows must be obtained from the industry and recorded here.

Dilution flows include sanitary waste, non-contact cooling water, boiler blowdown, and other process wastestreams which are exempt from categorical pretreatment standards. [Note whether dilution flows tie into the process wastestream before or after any pretreatment.] N/A

Has the industry identified any specific hazards at the sampling location(s)?
_____ Yes X No

If so, what are they and have the POTW personnel been notified of such?

*THE SAMPLING POINT IS A MANHOLE, BUT SAMPLING CAN BE CONDUCTED FROM GROUND LEVEL.

Does the industry perform chemical analyses required for self-monitoring "in-house"? _____ Yes X No

If no, record the name and business address of any contracted private laboratory? WATER CHEMISTRY, INC., P.O. BOX 4273, ROANOKE, VA 24015

D. Spill Prevention

Describe spill control methods used by the industry. Does it have a Spill Prevention Control and Countermeasures (SPCC) plan? Is there a past history of spills that were not contained? A SPILL PREVENTION PLAN HAS BEEN SUBMITTED TO THE POTW; SPILL CONTAINMENT AND CLEAN-UP MATERIALS ARE KEPT ON SITE; THERE HAVE BEEN NO SPILLS REPORTED.

Are diked chemical storage areas of sufficient size and in proper structural condition to provide for containment of their contents? THE BULK STORAGE TANKS IN THE TANK FARM, THE HAZARDOUS WASTE STORAGE TANK, AND THE EMERGENCY BULK STORAGE TANK ARE DIKED. THESE DIKED AREAS APPEAR TO BE ADEQUATE IN SIZE AND THE DIKES APPEAR TO BE IN PROPER STRUCTURAL CONDITION. HOWEVER, IT WAS NOTED THAT THE DRUM STORAGE AREAS FOR RAW MATERIALS AND FINISHED PRODUCT ARE NOT DIKED. THE LAB STORAGE SHED, WHICH CONTAINS RAW MATERIALS AND SERVES AS A SATELLITE COLLECTION AREA FOR HAZARDOUS WASTES IS ALSO NOT DIKED.

Are chemical storage areas located in close proximity to floor drains?
X Yes _____ No *THE LABORATORY CONTAINS A VARIETY OF SOLVENTS, PAINTS, AND OTHER COATINGS IN RELATIVELY SMALL QUANTITIES; FLOOR DRAINS ARE PRESENT.

If so, do the floor drains discharge to the sanitary or storm sewer?
IT IS BELIEVED THAT THE FLOOR DRAINS MENTIONED ABOVE DISCHARGE TO THE SANITARY SEWER, BUT THIS COULD NOT BE VERIFIED.

Are employees informed of the need to keep unauthorized chemicals out of the sanitary sewer? X Yes _____ No

If yes, by what means: EMPLOYEE SLUG PREVENTION TRAINING

Are chemical or wastewater pumps totally sealed, or are shafts sealed with packing or mechanical seals? If packing is used, where is leakage directed? AIR DIAPHRAGM PUMPS USED; ANY MANIFOLD LEAKAGE IS USED FOR WASH-UP AND NOT DISCHARGED.

- E. If the industry is subject to the Electroplating, Electronics or Metal Finishing standards, and has submitted a solvent/toxic organic management plan; has there been any change to the contents and conditions outlined by the plan?

N/A

F. Records

If the industry is subject to categorical pretreatment standards, did it submit a Baseline Monitoring Report (BMR) with the required contents to the Control Authority? _____ Yes _____ No **N/A**

If not, briefly explain the reasons for not doing so, or list any deficiencies in the content of the BMR. N/A

If categorical, has the industry submitted the 90-day compliance report, and does it submit the required semiannual self-monitoring reports? _____ Yes _____ No **N/A**

If no, briefly explain: N/A

If yes, do the reports address the sampling parameters required by the categorical pretreatment standards? _____ Yes _____ No **N/A**

Is the industry on a compliance schedule for the installation of any technology required to meet the applicable pretreatment standards?
 _____ Yes X No

If so, note the progress of the industry in following this schedule:

N/A

Are records available for at least three (3) years? X Yes No

Does the industry submit all monitoring data performed in accordance with 40 CFR Part 136 to the POTW in its periodic compliance report? YES - ALL COMPLIANCE MONITORING CONDUCTED BY CONTRACT LAB.

REQUIREMENTS/RECOMMENDATIONS/COMMENTS:

1. THE DISCHARGE LOCATION OF THE COOLING WATER FROM THE GRINDING PROCESSES MUST BE DETERMINED. THIS FLOW SHOULD BE CONNECTED TO THE SANITARY SEWER. IN ACCORDANCE WITH THE STATE WATER CONTROL BOARD PERMIT REGULATION (VR 680-14-01, §1.5), ANY UNPERMITTED DISCHARGE OF COOLING WATER TO THE STORM SEWER MUST CEASE IMMEDIATELY.
2. THE FLOOR DRAINS IN THE LABORATORY MUST BE SEALED.
3. STORMWATER PUMPAGE FROM THE DIKED BULK STORAGE AREAS AND FROM THE OTHER AREAS OF THE PLANT, SHOULD BE ADDRESSED UNDER THE STORMWATER REGULATIONS.
4. IT IS STRONGLY RECOMMENDED THAT CONTAINMENT BE PROVIDED FOR THE DRUM STORAGE AREAS BOTH INSIDE AND OUTSIDE THE PLANT BUILDINGS ESPECIALLY SINCE MANY OF THESE AREAS ARE IN CLOSE PROXIMITY TO STORM DRAINS. FURTHER, CHEMICAL LOADING AND UNLOADING FACILITIES SHOULD BE CONSTRUCTED TO PROVIDE CONTAINMENT FOR ANY SPILLAGE OR LEAKAGE. PROPOSED AND EXISTING CONTAINMENT MEASURES SHOULD BE DISCUSSED IN THE STORMWATER POLLUTION PREVENTION PLAN WHICH IS REQUIRED UNDER THE STORMWATER REGULATIONS.
5. CURRENTLY, THE AREA USED FOR TEMPORARY STORAGE AND PUMPING OF HAZARDOUS WASTES IS NOT DIKED AND IS IN A LOCATION WHERE STORMWATER TENDS TO COLLECT. THIS AREA SHOULD BE IMPROVED TO PREVENT CONTAMINATION OF THE SURROUNDING ENVIRONMENT. THE COMPANY SHOULD ALSO ENSURE THAT IT IS IN COMPLIANCE WITH ALL WASTE MANAGEMENT REGULATIONS WITH REGARD TO HANDLING AND STORAGE OF HAZARDOUS WASTES HERE AND THROUGHOUT THE PLANT. THIS REPORT HAS BEEN COPIED TO OUR WASTE MANAGEMENT DIVISION FOR THEIR CONSIDERATION OF THIS MATTER.

AUXILIARY/UTILITY FLOWS

AUXILIARY PROCESS	FREQUENCY OF DISCHARGE	FLOW	CHEMICALS ASSOCIATED	DISCHARGE LOCATION
BOILER BLOWDOWN:	N/A			
AIR COMPRESSOR COOLING WATER: AIR-COOLED	N/A			
AIR COMPRESSOR CONDENSATE: RECYCLED	N/A			
COOLING TOWER BLOWDOWN:	N/A			
DEMINERALIZER BACKWASH:	N/A			
HOUSEKEEPING/FLOOR WASH WATER:	N/A			
OTHER: GRINDING MILL COOLING WATER	INTERMITTENT	UNK.	SINGLE PASS, NON-CONTACT	STORM SEWER???

DEQ - Waste Management Division

OERR - Roanoke Regional Office

ORIGINAL
FILE COPY

Complaint Closure Memorandum

Complaint Number: RI-005646

Complaint Date: May 20, 1993

Site Name: AKZO COATINGS INC

Location: ROANOKE

Referral Information:

Solids Waste

- ☐ Roanoke Regional Office
- ☐ Abington Office
- ☐ Richmond Office
- ☐ Enforcement
- ☐ Other (See Below)

Super Fund

- ☐ Pre-Remedial
- ☐ State Cleanup
- ☐ NPL
- ☐ SARA Title III
- ☐ Other (See Below)

Hazardous Waste

- ☒ Roanoke Regional Office
- ☒ Richmond Office
- ☐ Enforcement
- ☐ Other (See Below)

Regulated Medical Waste

- ☐ Richmond Office
- ☐ Other (See Below)

Tire Program

- ☐ Roanoke Regional Office
- ☐ Richmond Office
- ☐ Other (See Below)

Other Agencies

- ☐ Water Division
- ☐ Air Division
- ☐ USEPA
- ☐ DES
- ☐ Health Department
- ☐ OSHA
- ☐ Other (See Below)

Referral Details:

This complaint (EPA ID number VAD 000019828) is referred to compliance and enforcement.

Record of Actions Taken:

- ☐ Letter (file)
- ☒ Memorandum (file)
- ☐ Special Information (file)

- ☐ Telephone Conversation (See Below)
- ☐ Other (See Below)

Description of Actions: No further action will be taken by OERR in this matter

Closure Comments:

Closed By (Name): Willard Keene

Date : June 16, 1993

FILE COPY

EMERGENCY FIELD RESPONSE

Department of Waste Management - Response Record Form

Call Received By: Richard E Fox Jr.Date: 5/20/93Time: 08:31:21Person To Contact: Rusty FitzgeraldTelephone: (703) 982-6250Address: US Attorney's Office James Altice 804-947-5064

City: _____

State: _____

Zip: _____

Site Name: Akzo Coatings Inc.Location and or address: 2837 Roanoke Ave. SW.Roanoke, Virginia 24015Roanoke 770

Directions to Site: _____

[Draw map on back if necessary]

Accidental Spill ☐ Intentional Dumping ☒ Abandoned Materials ☐ Other ☐Description of Incident: Mr Fitzgerald reported that he received a call from James Altice concerning the dumping of furniture manufacturing chemicals at/by Reliance-Akzo. Mr Altice is a former employee who indicated that he had been instructed to spread the chemicals onto the ground.

[Continue on back if necessary]

Dates of Occurrence: May 19, 1993 1625

Nearby streams or bodies of water: _____

Person believed responsible: _____

Telephone: () -

Address: _____

Amount of material _____ ☐ Gallons ☐ Drums ☐ Others _____
☐
☐
☐
☐

Organics
Pesticides
Solvents
Inorganics

☐
☐
☐
☐

Heavy Metals
Acids
Bases
PCB's

☐
☐
☐
☐

Mixed Municipal Waste
Asbestos
Unknown
Other
Referred to: ☐ SWCB ☐ APCB ☐ USEPA ☐ DES ☐ OTHER _____

Person to whom referred: _____

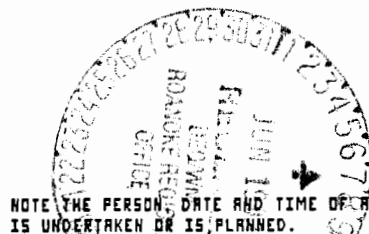
Telephone: () -

Referred to DWM from (agency) DES-PREPPerson: Martha Hunter Date: 5/20/93

REFERRALS WITHIN DWM:

Person referred to	Date
<u>Norman Albridge</u>	<u>5/20/93</u>
<u>Willard Keene</u>	<u>6-14-93</u>

Notes:

UAD000019828
Akzo Coatings Inc.
(Formerly Reliance Universal Inc.)


NOTE THE PERSON, DATE AND TIME OF ANY DWM FIELD RESPONSE THAT IS UNDERTAKEN OR IS PLANNED.

VIEW THE NOTE

From: WCB048XX--VWCB
To: WCBWASTE--VWCB
WCB002XX--VWCB

WCRO PRP Account

Date and time
RCLARK --VDH

E01
05/20/93 08:31:21
SHD Sewage Notific

RI-005646

Subject: HEADQUARTERS PREP

Subject: chemical dumping; City of Roanoke

May 19., 1993 1625; Rusty Fitzgerald, US Attorney's Office, 703-982-6250, reported that he received a call from James Altice, 804-947-5064, concerning the dumping of furniture manufacturing chemicals at/by Reliance-AKZO, 2852 Roanoke Ave.. Mr. Altice is a former employee who indicated that he had been instructed to spread the chemicals onto the ground. He also reported that there are 55 gallon drums buried on the property that also contain the chemicals. DWM, since it would appear that we are dealing with an unknown substance, I consider this to be one where you have the lead.....let us know if assistance is needed.Martha

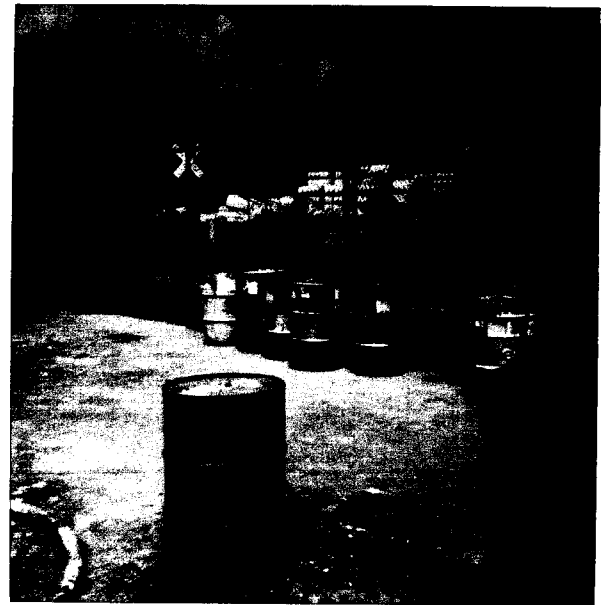
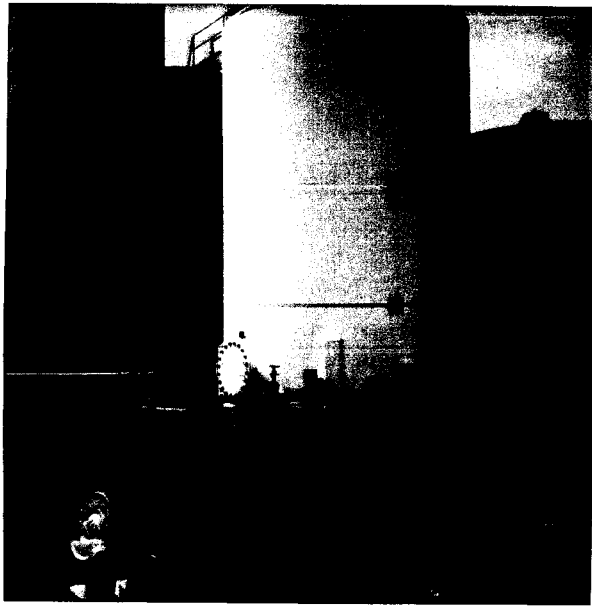
E N D O F N O T E

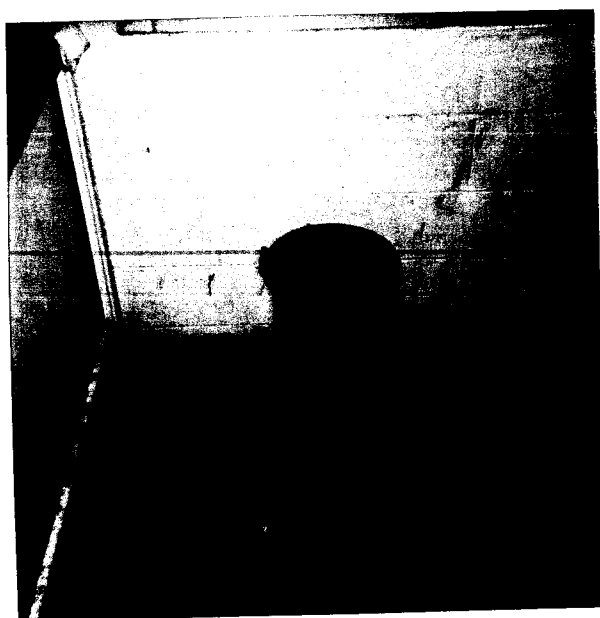
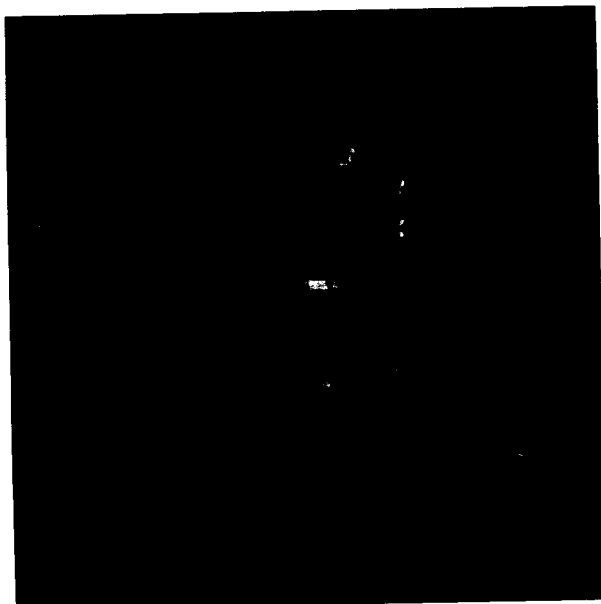
PF1 Alternate PFs PF2 File NOTE PF3 Keep PF4 Erase PF5 Forward Note
PF6 Reply PF7 Resend PF8 Print PF9 Help PF10 Next PF11 Previous PF12 Return
ALT-F10 HELP ° VT-100 ° FDX ° 2400 E71 ° LOG CLOSED ° PRT OFF ° CR ° CR





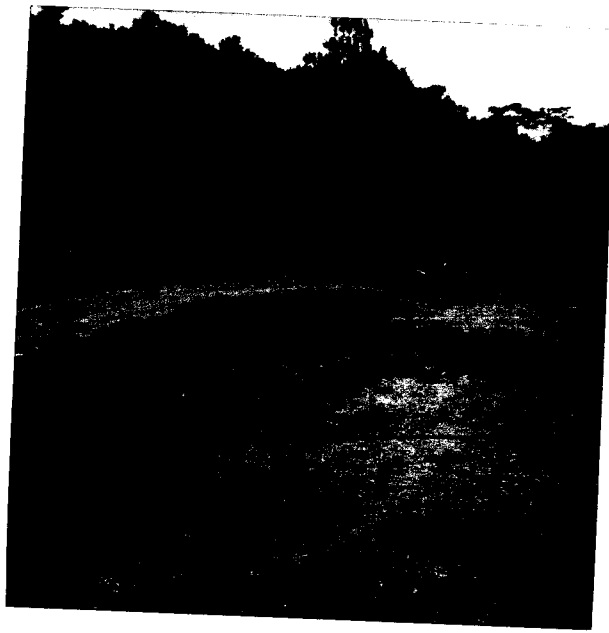
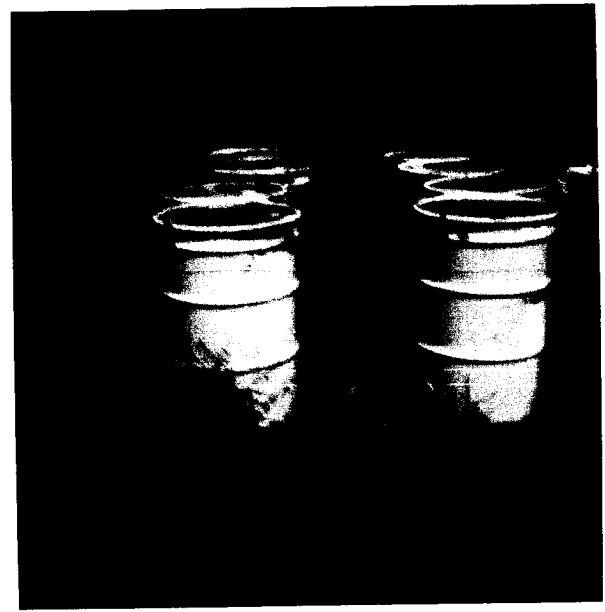
8 27 92





RL-004125
ASTRO LANTIRN







**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

FED EX

Mr. Doug Gilliam
North American General Manager
Akzo Nobel Coatings Inc.
1431 Progress Avenue
High Point NC 27261

SEP 28 2006

**Re: NOTICE OF NON-COMPLIANCE and
REQUEST TO SHOW CAUSE**

Dear Mr. Gilliam:

On April 12, 2005, the U.S. Environmental Protection Agency (EPA), Region III conducted a Compliance Evaluation Inspection (the "CEI") pursuant to Subtitle C of the Resource Conservation and Recovery Act, as amended ("RCRA"), 42 U.S.C. §§ 6921-6939e, the regulations promulgated thereunder at 40 C.F.R. Parts 260-266, 268, and 270-279, and the federally-authorized Virginia Hazardous Waste Management Regulations in effect at the time of the CEI. The CEI involved your facility, Akzo Nobel Coatings Inc., located at 2837 Roanoke Avenue, S.W., Roanoke, VA ("the Facility") and was conducted by inspectors from both the U.S. Environmental Protection Agency ("EPA") and the Virginia Department of Environmental Quality ("VADEQ") and subsequent correspondence between EPA and Akzo Nobel Coatings Inc., ("Akzo") about enforcement issues related to this inspection, to determine compliance with RCRA.

Section 3008(a) of RCRA authorizes EPA to take enforcement action whenever it is determined that a person is in violation of any requirement of RCRA Subtitle C, EPA's regulations thereunder, or any regulation of a state hazardous waste program which has been authorized by EPA. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), authorizes the assessment of a civil penalty against any person who violates any requirement of Subtitle C of RCRA.

As a result of EPA's preliminary findings and determinations, the Agency believes a civil enforcement action seeking the imposition of monetary fines and penalties against Akzo Nobel Coatings Inc. ("Akzo") for the identified violations is an appropriate course of action. The Agency is issuing you this preliminary Notice of Noncompliance and Request to Show Cause letter in order to offer Akzo the opportunity to meet personally with EPA representatives and to "show cause" why EPA's present information is not correct, to submit any additional information that it believes the Agency should consider in its further review of this matter and to articulate the reasons, if any, why Akzo believes that EPA should not commence civil enforcement proceedings against Akzo. EPA further offers Akzo the opportunity to settle and resolve its potential civil liability for such violations, without litigation, in the manner described more fully below.

I. BACKGROUND

As stated above, on April 12, 2005, the U.S. Environmental Protection Agency (EPA), Region III conducted a CEI of the Facility. The purpose of the EPA inspection was to assess the Facility's compliance with the authorized Virginia Hazardous Waste Management Regulations (hereinafter, "VaHWMR") in effect at the time of the CEI.¹ EPA thereafter requested certain additional information from Akzo through an information request letter sent to the Company on March 28, 2006 (EPA Information Request Reference # C05-008 ["IRR #C06-016"]) pursuant to the authority of RCRA § 3007, 42 U.S.C. § 6927(a). In its information request letter, EPA asked a series of questions relating to certain operational processes and procedures employed at the Facility and requested specified documents and other relevant information. Akzo replied to EPA's information request letter by correspondence dated March 23, 2006.

On the basis of the Facility inspection and a review of Akzo's March 23, 2006 letter and other pertinent information, EPA believes that Akzo has failed to comply with certain requirements and provisions of RCRA Subtitle C, 42 U.S.C. §§ 6921-6939e, and with VaHWMR requirements promulgated thereunder. Set forth below is a recitation of the applicable regulatory requirements and of the relevant inspection observations, available facts and information which support EPA's belief that Akzo has violated VaHWMR requirements which govern the generation, treatment, storage and disposal of hazardous waste at its Roanoke, Virginia Facility.

EPA has identified the following RCRA violations at the Facility:

1. Akzo violated Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e) and the Virginia Hazardous Waste Management Regulations ("VaHWMR") 9 VAC 20-60-270 which incorporates by reference 40 C.F.R. § 270.1(b) [hereinafter, the federal regulation incorporated by reference into the authorized VaHWMR violations shall appear in brackets; the applicable authorized provisions set forth in this Show Cause letter remain unchanged by the VaHWMR authorized revisions], by operating a hazardous waste storage facility without a permit or interim status. Akzo did not comply with the temporary accumulation exemption to the permit requirement, found in 40 C.F.R. § 262.34 which is incorporated by reference in 9 VAC 20-60-262 of the VaHWMR, Akzo did not qualify for this exemption

¹ The authorized Virginia Hazardous Waste Management Regulations, as codified at VaHWMR §§ 1.0 *et seq.* (1984), were authorized, effective December 18, 1984 (49 *Fed. Reg.* 47391 (December 4, 1984)), by EPA pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), and 40 C.F.R. Part 271, subpart A, and were re-authorized, as amended, and codified in 9 VAC 20-60-12 *et seq.* (1999), effective September 29, 2000 (65 *Fed. Reg.* 46607 (July 31, 2000)). The authorized provisions of Virginia's hazardous waste management program are requirements of RCRA Subtitle C and, accordingly, are enforceable by EPA pursuant to Section 3008(a) of RCRA. Section 3008(g) of RCRA, 42 U.S.C. § 6928(g), authorizes the assessment of a civil penalty against any person who violates any requirement of Subtitle C of RCRA.

because of its failure to comply with all of the conditions for this exemption. Specifically, Akzo failed to label eight (8) containers as hazardous waste, failed to date three (3) containers of hazardous waste and failed to have a container accumulating hazardous waste under the control of an operator of the process that was generating the waste in addition to violating the permit requirement set forth in 9 VAC 20-60-270 [40 C.F.R. § 270.1(b)]. Some of the acts or omissions which caused Akzo to fail to comply with the conditions for temporary accumulation may be themselves independent violations of the hazardous waste requirements, as set forth below.

2. Akzo failed to keep thirteen ("13") containers holding hazardous waste closed as required by 9 VAC 20-60-265 [40 C.F.R. 265.173(a)].
3. Akzo failed to maintain secondary containment of a hazardous waste tank as required by 9 VAC 20-60-265 [40 C.F.R. 265.193(a)]. There was a crack in a secondary containment wall such that the wall would not be capable of fulfilling its intended purpose.
4. Akzo failed to document or maintain written records of inspections of its hazardous waste storage tank system for each operating day as required by 9 VAC 20-60-265 [40 C.F.R. 265.195(c)]. Akzo failed to document six (6) weeks of hazardous waste tank inspections. The violations occurred over a three (3) year period.
5. Akzo failed to tag equipment subject to Subpart BB, 9 VAC 20-60-265 [40 C.F.R. 265.1050(c)].
6. Akzo failed to provide annual personnel training for some or all of its employees 9 VAC 20-60-265 [40 C.F.R. 265.16].

If Akzo wants to take advantage of the opportunity to discuss this matter with EPA prior to the filing of an administrative complaint, EPA requests that Akzo contact the Agency within fourteen (14) calendar days after Akzo's receipt of this letter to set up a meeting to discuss these issues. If you wish to discuss this matter, please contact Rodney T. Carter, Senior Assistant Regional Counsel, at (215) 814-2478 or Mr. Jan P. Szaro, Environmental Engineer, at (215) 814-3421.

Please be advised, however, that EPA at this time may issue an Administrative Complaint and Compliance Order at any time after thirty days of the issuance of this Request to Show Cause, unless an agreement in principle is reached or Akzo provides information to EPA showing that violations have not occurred.

If Akzo submits information to EPA relevant to the alleged above-referenced alleged violations, please note that you are entitled to assert a claim of business confidentiality covering any part or all of the submitted information in the manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless a business confidentiality claim is asserted at the time the information is submitted, EPA Region III may make such information available to the public without further notice to you.

EPA has made no determination whether or not your company is a "small business" under the Small Business Regulatory Enforcement and Fairness Act (SBREFA). Please see the enclosed Small Business Information Sheet. This Enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the Enclosure, any decision to participate in such program or to seek compliance assistance does not relieve you of your obligation to respond in a timely manner to an EPA information request or other enforcement action and does not create any new rights or defenses under law.

To the extent that there are ongoing violations at the Facility, these violations should be corrected immediately. EPA specifically reserves the right to use any and all enforcement tools at its disposal to address past and/or ongoing violations at the Facility, including, but not limited to, the imposition of civil penalties.

If you have any other questions concerning this matter, you may contact Jan P. Szaro, at (215) 814-3421, or you may contact the attorney assigned to this matter, Rodney T. Carter, at (215) 814-2478.

Sincerely,



Carol Amend, Chief

RCRA Compliance and Enforcement Branch

Enclosure

cc: Mr. James Bray
Sam Winkler
Akzo Nobel Coatings Inc.
2837 Roanoke Avenue, S.W.
Roanoke, VA 24015
Jan Szaro (3WC31)
Rodney Carter (3RC30)



October 25, 2007

Mr. Jan Szaro
RCRA Enforcement and Compliance Officer
United States Environmental Protection Agency Region III
1650 Arch Street
Philadelphia, PA 19103-2029
re: U.S. EPA Docket Number - RCRA-03-2007-0105

Dear Mr. Szaro:

As required by our compliance order, I am sending written certification that all employees filling a position at the facility related to hazardous waste management pursuant to 9 VAC 20-60-265 (40CFR 265.16(d)(3)) have received the required training. I am providing a training outline that satisfies the requirements of 9 VAC 20-60-265 (CFR 264.16). Hazardous waste training is scheduled to be conducted again in January 2008.

If there should be questions concerning the training outline or the training performed, you may call Sam Winkler Health, Safety, (Environmental Manager Akzo Nobel Coatings Inc. Roanoke VA) at (540) 855-3302, or email him at sam.winkler@roa.akzonobel.com

Sincerely

James Bray
General Manager
Akzo Nobel Coatings Inc.
Roanoke Virginia

Akzo Nobel Coatings Inc.
2837 Roanoke Ave., S.W.
P.O. Box 4627
Roanoke, VA 24015-0627
Tel. (540) 982-8301
FAX (540) 343-3863



October 25, 2007

I certify under penalty of law that this document and all attachments are true, accurate and complete. As to [the/those] identified portions of this [type of submission] for which I cannot personally verify [its/their] accuracy, I certify under penalty of law that this [type of submission] and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations

Signature: _____

Name: _____

Title: _____

Akzo Nobel Coatings Inc.
2837 Roanoke Ave., S.W.
P.O. Box 4627
Roanoke, VA 24015-0627
Tel. (540) 982-8301
FAX (540) 343-3863

Hazardous Waste Training Outline

- I. Resource Conservation Act
 - A. Date enacted
 - B. Objectives
 - 1. Define Hazardous Waste
 - 2. Set rules for handling hazardous waste
 - 3. Documentation system to track hazardous waste
- II. What are Hazardous Waste
 - A. Hazardous Waste Characteristics
 - 1. Ignitable
 - 2. Corrosive
 - 3. Reactive
 - 4. Toxic
- III. RCRA Cradle to Grave System
- IV. Hazardous Waste Management System
 - A. Generation and Identification
 - 1. Ignitability
 - 2. Corrosivity
 - 3. Spent Solvents
 - B. Satellite Accumulation
 - 1. Point of Generation
 - 2. Closed
 - 3. Labeled
 - 4. Dated
 - C. Labeling and Tracking
 - D. 90 Day Storage Areas
 - 1. Inspections
 - E. Disposal
 - 1. Within 90 days
 - 2. RCRA Permitted TSDF
 - 3. Uniform Hazardous Waste Manifest
- V. Emergency Preparedness and Response
 - A. Contingency Plan
 - 1. Hazardous Waste Spill Control Plan
 - 2. Fire and Medical Emergency Plan
 - 3. Site Evacuation Plan

Hazardous Waste Management Positions

Health, Safety, Environmental Manager, Emergency Coordinator	Sam Winkler
Hazardous Waste Minimization Manager	Steve Oser
Hazardous Waste Material Coordinator	Wayne Underwood
Lab Porter	Maurice Gordon
Analytical Chemist	David Hively

The following employees received RCRA / Hazardous Waste Training January 19, 2007

**Steve Oser
Wayne Underwood
Maurice Gordon**

The following employee received RCRA/Hazardous Waste Training January 29, 2007

David Hively

The following employee received RCRA/Hazardous Waste Training October 23, 2007

Sam Winkler

Annual training will be conducted on January 10, 2008

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, PA 19103-2029

IN THE MATTER OF:

)	CONSENT AGREEMENT
Akzo Nobel Coatings Inc.)	
1431 Progress Avenue)	
High Point, North Carolina 27261)	U.S. EPA Docket Number
)	RCRA-3-2007-0105
RESPONDENT)	
)	Proceeding under Section 3008
2837 Roanoke Avenue, S.W.)	of the Resource Conservation and
Roanoke, Virginia 24015)	Recovery Act, as amended,
)	42 U.S.C. § 6928
FACILITY)	

CONSENT AGREEMENT

I. PRELIMINARY STATEMENT

This Consent Agreement and Final Order is entered into by the Director, Waste and Chemicals Management Division, U. S. Environmental Protection Agency, Region III ("Complainant") and Akzo Nobel Coatings Inc. ("Respondent" or "AKZO"), pursuant to Section 3008(a)(1) and (g) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(a)(1) and (g), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22 ("Consolidated Rules of Practice")

Pursuant to Sections 22.13(b), 22.18(b)(2), and 22.18.(b)(3) of the Consolidated Rules, this Consent Agreement and Final Order ("CA/FO") resolves Respondent's alleged violations of RCRA Subtitle C, 42 U.S.C. §§ 6921- 6939e , and the Commonwealth of Virginia's ("Virginia" or "Commonwealth") Hazardous Waste Management Regulations authorized by the U. S. Environmental Protection Agency, Region III ("EPA") pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), with regard to operations at the Respondent's Facility located at 2837 Roanoke Avenue, S.W., in Roanoke Virginia.

On December 18, 1984, pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b), and 40 C.F.R. Part 271, Subpart A, the Commonwealth of Virginia was granted final authorization to administer a state hazardous waste management program *in lieu* of the federal hazardous waste management program established under RCRA Subtitle C, 42 U.S.C. §§ 6921-6939e. The authorized Virginia hazardous waste management program ("VHWMP") was revised, effective September 29, 2000 (the "2000 VHWMP") (*see* 65 *Fed. Reg.* 46606 (July 31, 2000)), June 20,

2003 (the "2003 VHWMP") (see 68 *Fed. Reg.* 36925 (June 20, 2003)), July 30, 2006 and July 1, 2004 (the 2006 VHWMP") (see 71 *Fed. Reg.* 27216 (May 10, 2006)). The applicable provisions of the VHWMP are enforceable by EPA pursuant to Section 3008(a) of RCRA, 42 U.S.C. Section 6928(a).

The 2000, 2003 and 2006 VHWMP, with exceptions not relevant to this matter, incorporate by reference the federal hazardous waste regulations as set forth in the July 1, 1995 and July 1, 2001 Code of Federal Regulations, respectively. Citations in this CA/FO to the applicable VHWMP will set forth the appropriate federal regulation as well as the Virginia provision which incorporates such federal regulation by reference.

EPA has given Virginia, through the Virginia Department of Environmental Quality ("VaDEQ"), prior notice of the issuance of this Consent Agreement in accordance with Section 3008(a)(2), of RCRA, 42 U.S.C. § 6928(a)(2).

II. GENERAL PROVISIONS

1. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this CA/FO.
2. Except as provided in Paragraph 1, above, Respondent neither admits nor denies the specific factual allegations and conclusions of law set forth in this CA/FO.
3. Respondent agrees not to contest the Complainant's jurisdiction with respect to the execution or the enforcement of this CA/FO.
4. For the purposes of this proceeding only, Respondent hereby expressly waives its right to a hearing on any issue of law or fact set forth in this Consent Agreement and any right to appeal the accompanying Final Order.
5. Respondent consents to the issuance of this CA/FO and agrees to comply with its terms.
6. Respondent shall bear its own costs and attorney's fees.
7. Complainant has agreed to settle its claim for civil penalties assessed against Respondent for the violations set forth in this CA/FO for a civil penalty of Forty Nine Thousand and Five Hundred Dollars (\$49,500.00).
8. The provisions of this CA/FO shall be binding upon Complainant, Respondent and Respondent's officers, directors, successors and assigns.
9. This CA/FO constitutes a settlement by Complainant of all its claims for civil penalties pursuant to Section 3008(a)(3) and (g) of RCRA, 42 U.S.C. §§ 6928(a)(3) and (g), for the

specific violations alleged herein. Compliance with this CA/FO shall not be a defense to any action commenced at any time for any other violations of the federal laws and regulations administered by EPA.

10. This CA/FO shall not relieve Respondent of its obligation to comply with all applicable provisions of federal, state and local law. Furthermore, Complainant reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder, and any other federal laws or regulations for which Complainant has jurisdiction, to enforce the provisions of this CA/FO, following entry of this CA/FO.
11. Complainant reserves the right to commence action against any person, including Respondent, in response to any condition which Complainant determines may present an imminent and substantial endangerment to the public health, public welfare or the environment.
12. Each of the undersigned representatives of the parties certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this CA/FO and to execute and legally bind that party to it.
13. This CA/FO constitutes the entire agreement and understanding of the Parties concerning settlement of the above-captioned action and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed herein.
14. The effective date of this CA/FO is the date upon which the CA/FO, after signature by the Regional Administrator of EPA-Region III, or his designee, the Regional Judicial Officer, is filed with the Regional Hearing Clerk pursuant to the Consolidated Rules.
15. EPA has given the Commonwealth of Virginia prior notice of the issuance of this CA/FO in accordance with Section 3008(a)(2) of RCRA, 42 U.S.C. Section 6928(a)(2).

III. COMPLAINANT'S FINDINGS OF FACT AND CONCLUSIONS OF LAW

16. In accordance with Section 22.18(b)(2) of the Consolidated Rules of Practice, Complainant makes the following findings of fact and conclusions of law.
17. Respondent is, and was at the time of the violations alleged in this Consent Agreement, a corporation incorporated in Delaware and doing business in Virginia and is a "person" as that term is defined in RCRA Section 1004(15), 42 U.S.C. Section 6903(15), and 9 VAC 20-60-260, which, with exceptions not relevant to this matter, incorporates by reference 40 C.F.R. § 260.10.

18. Respondent is and was, at all times relevant to the violations alleged in this Consent Agreement, the "owner" and "operator" of a "facility", as those terms are defined by 9 VAC 20-60-260, which, with exceptions not relevant to this Consent Agreement, incorporates by reference 40 C.F.R. § 260.10. The Facility is located at 2837 Roanoke Avenue, S.W., Roanoke, Virginia ("the Facility"). The Facility produces solvent and water based coatings. The primary end use for these products is as furniture finishes or kitchen cabinet coatings.
19. On or about July 14, 1994, Respondent notified VaDEQ regarding its hazardous waste activity for the Facility, pursuant to Section 3010 of RCRA, 42 U.S.C. Section 6930, identifying itself as a large quantity generator of hazardous waste. On August 15, 1994 EPA acknowledged VaDEQ's assignment of EPA ID No. VAD 000804617 to the Facility.
20. On April 12, 2005, Complainant conducted a Compliance and Evaluation Inspection ("CEI") at the Facility.
21. From at least August 15, 1994 to the date of the CEI Respondent generated D001, F003, F005 and D035 hazardous waste as a result of its operations at the Facility.
22. Respondent's D001, F003, F005 and D035 hazardous waste generated in connection with its operations at the Facility are "solid waste," and "hazardous waste" as those terms are defined in 9 VAC 20-60-260 and 261, which incorporate by reference 40 C.F.R. Sections 260.10 and 261.2 and .3
23. Respondent is and, at all times relevant to the alleged violations in this Consent Agreement, has been a "generator" of, and has engaged in the "storage" of, at the Facility, in "containers" and a "tank," materials that are solid wastes and hazardous waste, as those terms are defined in 9 VAC 20-60-260 and 261, which incorporate by reference 40 C.F.R. Sections 260.10 and 261.2 and .3, including the hazardous waste referred to herein.
24. At all times relevant to the violations alleged herein, Respondent was the "owner" and "operator" of a 10,700 gallon hazardous waste storage "tank" located at its Facility, as those terms are defined in 9 VAC 20-60-260, which incorporates by reference 40 C.F.R. Sections 260.10. The tank was used for the "storage" of blends of the following solvents: mineral spirits, methyl ethyl ketone ("MEK"), acetone, butyl acetate, ethanol, propanol, toluene, butyl alcohol, methyl propyl ketone, methyl amyl ketone ("MAK"), ethyl acetate, methyl alcohol (methanol) and methyl isobutyl ketone ("MIBK"). The solvent blends were "hazardous wastes," as those terms are defined in 9 VAC 20-60-260 and 261, which incorporates by reference 40 C.F.R. Sections 260.10 and 261.2 and 261.3.
25. At all times relevant to the violations alleged herein, Respondent was the "owner" and "operator" of eight "containers" used for the "storage" of "hazardous wastes" (the

description of these hazardous wastes is the same as the "hazardous wastes" listed in Paragraph # 24, above), as those terms are defined in VAC 20-60-260 and 261, which incorporate by reference 40 C.F.R. Sections 260.10 and 261.2 and .3, at the following areas of the Facility:

- a. Lacquer Laboratory #1
- b. Large Workroom
- c. Paint/Stain Test Room
- d. Manufacturing/Stain Section
- e. Manufacturing/UV Section
- f. Work-Off Storage Area #2

26. At all times relevant to the violations alleged herein, Respondent was the "owner" and "operator" of three "containers" used for the storage of hazardous wastes (the description of these hazardous wastes is the same as the "hazardous wastes" listed in Paragraph # 24, above), as those terms are defined in VAC 20-60-260 and 261, which incorporate by reference 40 C.F.R. §§ 260.10 and 261.2 and .3, located at the Facility in the Main Ninety Day Storage Area and the Work-Off Storage Area #2.

27. At all times relevant to the violations alleged herein, Respondent was the "owner" and "operator" of thirteen ("13") containers used for the storage of hazardous wastes (the description of these hazardous wastes is the same as the "hazardous wastes" listed in Paragraph # 24, above), as those terms are defined in VAC 20-60-260 and 261, which incorporate by reference 40 C.F.R. Sections 260.10 and 261.2 and .3, located at the Facility in the following areas:

- a. Lacquer Laboratory #1
- b. Lacquer Laboratory #2
- c. Physical Testing Room
- d. UV Laboratory
- e. Large Workroom
- f. QC Laboratory (outside alley)
- g. Manufacturing/Stain Section
- h. Manufacturing/Lacquer Section
- i. Manufacturing/Grinding Section
- j. Main Ninety Day Storage Area

28. At all times relevant to the violations alleged herein, Respondent was the "owner" and "operator" of equipment at the Facility subject to 40 C.F.R. Part 264, Subpart BB, which is incorporated by reference into 9 VAC 20-60-264.1050(c), and 40 C.F.R. Part 265, Subpart BB, which is incorporated by reference into 9 VAC 20-60-265.

29. Pursuant to RCRA Section 3007(a), 42 U.S.C. Section 6927(a), on December 28, 2005

EPA issued an information request letter ("12/28/05 IRL") and again on March 28, 2006 EPA issued an information request letter ("3/28/06 IRL") to Respondent requesting information regarding hazardous waste activities at the Facility.

30. Respondent replied to EPA's 12/28/05 IRL by correspondence dated January 24, 2006 and Respondent also replied to EPA's 3/28/06 IRL by correspondence dated April 3, 2006.

COUNT I

(Operating a Storage Facility Without a Permit)

31. The allegations of Paragraphs 16 through 30 of the Consent Agreement are incorporated herein by reference.
32. Section 3005(a) and (e) of RCRA, 42 U.S.C. Section 6925(a) and (e), and 9 VAC 20-60-270 (which incorporates by reference 40 C.F.R. § 270.1(b)) provide, in pertinent part, that a person may not operate a hazardous waste storage, treatment or disposal facility unless such person has first obtained a permit for such facility or has qualified for interim status.
33. 9 VAC 20-60-262 (which incorporates by reference 40 C.F.R. § 262.34 (a)) provides that a generator may accumulate hazardous waste on site for 90 days or less without a permit or interim status provided that, *inter alia*:
- a. The waste is placed in containers and the generator complies with 40 C.F.R. Part 265, Subparts I, AA, BB and CC;
 - b. The waste is placed in tanks and the generator complies with 40 C.F.R. Part 265, Subparts J, AA, BB and CC;
 - c. The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
 - d. While being accumulated on-site, each container and tank is labeled or marked clearly with the words "Hazardous Waste"; and
 - e. The generator complies with the requirements for owners or operators set forth in 40 C.F.R. Part 265, Subparts C and D, 40 C.F.R. §§ 265.16 and 268.7(a)(5).

Failure to Keep Containers Closed:

34. 40 C.F.R. § 265.173(a), which is part of 40 C.F.R. Part 265, Subpart I (as referenced in paragraph 33(a) above), provides that a container holding hazardous waste must always

be closed during storage, except when necessary to add or remove waste.

35. On April 12, 2005, Respondent was storing thirteen containers of hazardous wastes (described in Paragraph # 24 above) located at the Facility (in the areas described in Paragraph # 27 above) which were open, even though at the time of the April 12, 2005 CEI, hazardous waste was not being added or removed from the containers.

Failure to Maintain Secondary Containment:

36. 40 C.F.R. § 265.193(a), which is part of 40 C.F.R. Part 265, Subpart J (as referenced in Paragraph 33(b), above) provides that in order to prevent the release of hazardous waste or hazardous constituents to the environment, secondary containment that meets the requirements of 40 C.F.R. § 265.193 must be provided, with exceptions not relevant to this matter.
37. 40 C.F.R. § 265.193(d) which is part of 40 C.F.R. Part 265, Subpart J (as referenced in Paragraph 33(b), above) provides that secondary containment for tanks must include one or more of the following devices:
- (1) A liner (external to the tank);
 - (2) A vault;
 - (3) A double-walled tank; or
 - (4) An equivalent device as approved by the Regional Administrator.
38. At the time of the April 12, 2005 CEI Respondent was using a vault as its secondary containment device for the 10,700 gallon hazardous waste tank and did not use any other device listed in 40 C.F.R. § 265.193(d).
39. 40 C.F.R. § 265.193(e)(2) which is part of 40 C.F.R. Part 265, Subpart J (as referenced in paragraph 33(b), above) provides that vault systems must be, inter alia:
- a. Designed or operated to contain 100 percent of the capacity of the largest tank within its boundary, and
 - b. Provided with an impermeable interior coating or lining that is compatible with the stored waste and that will prevent migration of waste into the concrete.
40. At the time of the April 12, 2005 CEI, the vault used as a secondary containment device for Respondent's 10,700 gallon hazardous waste tank had a crack in its concrete wall that rendered such vault incapable of being operated to contain 100 percent of the capacity of the largest tank within its boundary, and did not have an impermeable interior coating or lining that was compatible with the stored waste and would prevent migration of waste into the concrete.

Failure to Maintain Written Records of Inspections:

41. 40 C.F.R. § 265.195(a), which is part of 40 C.F.R. Part 265, Subpart J (as referenced in Paragraph 33(b), above) provides that the owner or operator of a hazardous waste tank must inspect, where present, at least once each operating day:
- (1) Overfill/spill control equipment (e.g., waste-feed cutoff systems, bypass systems, and drainage systems) to ensure that it is in good working order;
 - (2) Above ground portions of the tank system, if any, to detect corrosion or releases of waste; and
 - (3) Data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design.
 - (4) The construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system (e.g., dikes) to detect erosion or signs of releases of hazardous waste (e.g., wet spots, dead vegetation).
42. 40 C.F.R. § 265.195(g), which is part of 40 C.F.R. Part 265, Subpart J (as referenced in Paragraph 33(b), above), provides that the owner or operator must document in the operating record of the facility an inspection of those items described in 40 C.F.R. § 265.195(a).
43. EPA's April 12, 2005 CEI and subsequent investigation revealed that Respondent did not have all of the required documentation for inspections conducted between April 15, 2004 and October 28, 2005, pursuant 40 C.F.R. § 265.195(a), in the facility's operating record as required by 40 C.F.R. § 265.195(g).

Failure to Mark Equipment in Accordance with 40 C.F.R. § 265.1050:

44. 40 C.F.R. § 265.1050(b), which is part of 40 C.F.R. Part 265, Subpart BB (as referenced in Paragraph 33(a), above), with exceptions not pertinent here, applies to equipment that contains or contacts hazardous wastes with organic concentrations of at least 10 percent by weight that are managed in one of the following:
- (1) A unit that is subject to the permitting requirements of 40 C.F.R. Part 270, or
 - (2) A unit (including a hazardous waste recycling unit) that is not exempt from permitting under the provisions of 40 C.F.R. § 262.34(a) (i.e., a hazardous waste recycling unit that is not a 90-day tank or container) and that is located at a hazardous waste management facility otherwise subject to the permitting requirements of 40 C.F.R. Part 270, or

(3) A unit that is exempt from permitting under the provisions of 40 C.F.R. § 262.34(a) (i.e., a "90-day" tank or container) and is not a recycling unit under the provisions of 40 C.F.R. § 261.6

45. 40 C.F.R. § 265.1050(c), which is part of 40 C.F.R. Part 265, Subpart BB (as referenced in Paragraph 33(a), above), provides that each piece of equipment to which 40 C.F.R. § 265.1050 applies shall be marked by the owner or operator in such a manner that it can be distinguished readily from other pieces of equipment.

46. At the time of the April 12, 2005 CEI Respondent had not marked each piece of equipment to which 40 C.F.R. § 265.1050 applies in such a manner that it could be distinguished readily from other pieces of equipment. A description of the equipment not properly marked follows:

a. Hazardous Waste Tank Equipment

1. Gate Valve 1.
2. Gate Valve 2
3. Plug 1
4. Plug 2
5. Manhole Cover
6. Conservation Vent
7. 4 inch Inspection Plug
8. 2 inch Pipe Plug (top of tank)

b. Hazardous Waste Input Equipment

1. Input Elbow (90-1)
2. Flange (top of tank)
3. Input Elbow (90-2)
4. Input Elbow (90-3)
5. Input Valve 1
6. Input Coupling 1
7. Input T-1
8. Input Valve 2
9. Input Elbow (90-4)
10. One Way Valve 1
11. Input T-2
12. Input Hose Coupling 2
13. Input Pump 1
14. Input Hose Coupling 4
15. Input Hose Valve 3
16. Input T-3

c. Hazardous Waste Output Equipment

1. Output Valve-1

2. Output 1
3. Output Elbow (90-1)
4. Output Elbow (90-2)
5. Output Valve 2
6. Output Reducer 1
7. Output Coupling 1

Failure to Provide Hazardous Waste Training:

47. 40 C.F.R. §265.16(c) (as referenced in Paragraph 33(e), above), provides that facility personnel must take part in an annual review of initial training required 40 C.F.R. §265.16(a).
48. Respondent did not provide annual review of initial training for at least two of its Facility personnel who managed hazardous wastes during the year 2004 as required by 40 C.F.R. §265.16(a).
49. For the year 2004, Respondent failed to provide adequate hazardous waste personnel training for two of its employees at the Facility required to have such training, as required by 40 C.F.R. §265.16(d) and (e).

Failure to Qualify for Less-than Ninety-Day Storage Exemption:

50. Because Respondent stored hazardous waste in containers without keeping such containers closed during storage, except when necessary to add or remove waste from such containers (*see* Paragraph 35); failed to provide adequate secondary containment for a tank used to store hazardous waste (*see* Paragraph 40), failed to document in the Facility's operating record its inspections of the hazardous waste at the Facility (*see* Paragraph 43), failed to mark each piece of equipment in such a manner that it could be distinguished readily from other pieces of equipment at the Facility subject to 40 C.F.R. §265.105(d) (*see* Paragraph 46), and failed to provide adequate hazardous waste personnel training at the Facility (*see* Paragraph 48), Respondent failed to satisfy the conditions set forth at 9 VAC 20-60-262 (which incorporates by reference 40 C.F.R. §262.34) for a generator to qualify for an exemption from the permit and/or interim status requirements of RCRA Section 3005(a) and (e), 42 U.S.C. § 6925(a) and (e), and 9 VAC 20-60-270 for the hazardous waste management activities described above.
51. Respondent does not have, and at the time of the acts and/or omissions described above, did not have a permit or interim status to store hazardous waste at the Facility as required by 9 VAC 20-60-270 (which incorporates by reference 40 C.F.R. § 270.1(b)), and Section 3005(a) and (e) of RCRA.
52. Respondent violated 9 VAC 20-60-270 (which incorporates by reference 40 C.F.R. § 270.1(b)) and RCRA, 42 U.S.C. § 6925, by operating a hazardous waste storage facility

58. 9 VAC 20-60-264 (which incorporates by reference 40 C.F.R. § 264.193(e)(2)) provides that vault systems must be, inter alia:
- (a) designed or operated to contain 100 percent of the capacity of the largest tank within its boundary; and
 - (b) provided with an impermeable interior coating or lining that is compatible with the stored waste and that will prevent migration of waste into the concrete;
60. At the time of the April 12, 2005 CEI, the vault used as a secondary containment device for the 10,700 gallon hazardous waste tank: (a) had a crack in one of its concrete walls that rendered such vault incapable of being operated to contain 100 percent of the capacity of such tank, and (b) did not have an impermeable interior coating or lining that is compatible with the stored waste and that will prevent migration of waste into the concrete.
61. Respondent violated 9 VAC 20-60-264 (which incorporates by reference 40 C.F.R. § 264.193(e)(2)), by failing to meet the requirements for vaults as described in Paragraph 60 above.

COUNT IV

(Failure to Maintain Inspection Documentation)

62. The allegations in Paragraphs 1 through 61 are incorporated herein by reference as though fully set forth herein.
63. 9 VAC 20-60-264 (which incorporates by reference 40 C.F.R. § 264.195(d)) provides that an owner or operator of a hazardous waste tank must document in the operating record of the facility an inspection of those items described in 40 C.F.R. § 265.195(a) through (c).
64. At the time of the April 12, 2005 CEI, Respondent did not have in the Facility operating records all of the required documentation for inspections conducted between April 15, 2004 and October 28, 2005 pursuant to 40 C.F.R. § 265.195(a) and (b).
65. Respondent violated 9 VAC 20-60-264 (which incorporates by reference 40 C.F.R. § 264.195(d)) by failing to document in the operating record of the Facility an inspection of those items described in 40 C.F.R. § 264.195(a) and (b).

COUNT V

(Failure to Mark Equipment)

66. The allegations in Paragraphs 1 through 65 are incorporated herein by reference as though fully set forth at length herein.
67. 9 VAC 20-60-264 (which incorporates by reference 40 C.F.R. § 264.1050) provides that each piece of equipment to which 40 C.F.R. 264, Subpart BB applies shall be marked by the owner or operator in such a manner that it can be distinguished readily from other pieces of equipment.
68. Respondent violated 9 VAC 20-60-264 (which incorporates by reference 40 C.F.R. § 264.1050) by not marking each piece of equipment listed in Paragraph 46, above, to which 40 C.F.R. 264, Subpart BB applies in such a manner that it could be distinguished readily from other pieces of equipment.

COUNT VI

(Failure to Provide Adequate Hazardous Waste Training)

69. The allegations in Paragraphs 1 through 68 are incorporated herein by reference as though fully set forth at length herein.
70. 9 VAC 20-60-264 (which incorporates by reference 40 C.F.R. § 264.16) provides that facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the Facility's compliance with the requirements of 40 C.F.R. § 264.16.
71. 9 VAC 20-60-264 (which incorporates by reference 40 C.F.R. § 264.16(c)) provides that facility personnel must take part in an annual review of the initial training required by 40 C.F.R. § 264.16(a).
72. Respondent did not provide an annual review of the initial training required by 40 C.F.R. § 264.16(a) for two of its Facility personnel for the year 2004.
73. Respondent violated 9 VAC 20-60-264 (which incorporates by reference 40 C.F.R. § 264.16(c)), by failing to provide two Facility personnel with an annual review of the initial training required by 40 C.F.R. § 264.16(a)

IV. COMPLIANCE ORDER

Respondent shall perform the following Compliance Tasks within the time periods specified. "Days" as used herein shall mean calendar days unless specified otherwise.

1. Immediately cease the storage of hazardous wastes at the Facility except in accordance with a permit issued by, or an exemption or exclusion allowed by, the Commonwealth of Virginia's authorized hazardous waste management regulations, 9 VAC 20-60-12 *et seq.*, and/or EPA's hazardous waste management regulations, 40 C.F.R. Parts 260-279, as applicable.
2. Immediately ensure that all containers in which hazardous waste is accumulated at the Facility are kept closed during storage, except when it is necessary to add or remove waste.
3. Within **forty-five (45) days** of the effective date of this CA/FO, Respondent shall submit to EPA written certification that all employees filling a position at the Facility related to hazardous waste management have received the required introductory and/or continuing training and /or are scheduled to receive such training within six months of the effective date of this CA/FO and submit to EPA for review a plan and outline for providing training to Facility employees which satisfies the requirements of 9 VAC 20-60-264 (40 C.F.R. § 264.16).
4. **Certification:** Within seventy-five (75) days of the effective date of this CA/FO, Respondent shall certify to EPA in writing that it is in compliance with the Compliance Tasks described above. Such certification shall be made in the manner specified in Paragraph 5 of this Compliance Order.
5. **Submissions to EPA:** Any notice, report, certification, data presentation, or other document submitted by Respondent pursuant to this Compliance Order which discusses, describes, demonstrates, or supports any finding or makes any representation concerning Respondent's compliance or non-compliance with any requirements of this Compliance Order shall be certified by a responsible corporate officer of Respondent. A responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. The aforesaid certification shall provide the following statement above the signature of the responsible corporate officer signing the certification on behalf of the Respondent:

I certify under penalty of law that this document and all attachments are true, accurate and complete. As to [the/those] identified portions of this [type of submission] for which I cannot personally verify [its/their] accuracy, I certify under penalty of law that this [type of submission] and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature: _____

Name: _____

Title: _____

Any notifications or submissions to EPA required by this Compliance Order shall be sent to the attention of:

Jan Szaro (3WC31)
RCRA Enforcement and Compliance Officer
United States Environmental Protection Agency - Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029; and

Rodney Travis Carter (3RC30)
Senior Asst. Regional Counsel
United States Environmental Protection Agency - Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029.

V. OTHER APPLICABLE LAWS

Nothing in this CA/FO shall relieve Respondent of any duties or obligations otherwise imposed upon it by applicable Federal, State or local laws or regulations.

VI. CIVIL PENALTY

In settlement of the above-captioned action, Respondent agrees to pay a civil penalty of Forty Nine Thousand, Five Hundred Dollars (\$49,500.00) in satisfaction of all claims for civil penalties which Complainant may have under RCRA Section 3008(a), 42 U.S.C. § 6928(a), for the violations alleged in Counts I through VI, above, of this CA/FO. Such civil penalty amount

shall become due and payable immediately upon Respondent's receipt of a true and correct copy of the CA/FO. In order to avoid the assessment of interest, administrative costs and late payment penalties in connection with such civil penalty, as described in the attached Final Order, Respondent must pay such civil penalty no later than thirty (30) calendar days after the date on which this CA/FO is mailed or hand-delivered to Respondent.

The aforesaid settlement amount was based upon Complainant's consideration of a number of factors, including, but not limited to, the statutory factors of the seriousness of the violations and good faith efforts of the Respondent to comply, as provided for in Section 3008(a)(3) of RCRA, 42 U.S.C. Section 6928(a)(3).

Respondent shall pay the civil penalty and interest, as specified above, by sending a certified check or cashier's check, or by electronic funds transfer, payable to the order of "United States Treasurer" :

By Regular US Postal Service Mail:

U.S. EPA
P.O. Box 371099M
Pittsburgh, Pennsylvania 15251

By Private Commercial Overnight Delivery:

Mellon Client Service Center
Attn: Shift Supervisor, Room 0690
Lockbox No. 371099M
500 Ross Street
Pittsburgh, PA 15262-0001

Payment by EFT to:

Wire Transfers
Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT Address = FRNYUS33
33 Liberty Street
New York, NY 10045
(Field Tag 4200 of the wire transfer message should read:
"D 68010727 Environmental Protection Agency")

Automated Clearing House (ACH) Transfers

PNC Bank

ABA = 051036706

Environmental Protection Agency

Account 310006

CTX Format

Transaction Code 22 - checking

808 17th Street, NW

Washington, DC 20074

(Contact for ACH: Jessie White 301 887-6548)

Payment by Respondent shall reference Respondent's name and address, and the EPA Docket Number of this CA/FO. A copy of Respondent's check or a copy of Respondent's electronic fund transfer shall be sent simultaneously to;

Rodney Travis Carter
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency
Region III (Mail Code 3RC30)
1650 Arch Street
Philadelphia, PA 19103-2029

and

Ms. Lydia Guy
Regional Hearing Clerk
U.S. Environmental Protection Agency
Region III (Mail Code 3RC00)
1650 Arch Street
Philadelphia, PA 19103-2029

Respondent agrees not to deduct for civil taxation purposes the civil penalty specified in this CA/FO.

Pursuant to 31 U.S.C. Section 3717 and 40 C.F.R. Section 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owned to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment or to comply with the conditions in this CA/FO shall result in the assessment of late payment charges including interest, penalties, and/or administrative costs of handling delinquent debts.

Interest on the civil penalty assessed in this CA/FO will begin to accrue on the date that a copy of this CA/FO is mailed or hand-delivered to Respondent. However, EPA will not seek to recover interest on any amount of the civil penalty that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at

the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. Section 13.11(a).

The costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue. 40 C.F.R. Section 13.11(b). Pursuant to Appendix 2 of EPA's Resources Management Directives - Cash Management, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.

A penalty charge of six percent per year will be assessed monthly on any portion of the civil penalty which remains delinquent more than ninety (90) calendar days. 40 C.F.R. Section 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. Section 901.9(d).

VII. RESERVATION OF RIGHTS

This CA/FO resolves only EPA's claims for civil penalties for the specific violations which are alleged in Counts I through VI of the CA/FO. Nothing herein shall be construed to limit the authority of the Complainant to undertake action against any person, including Respondent, in response to any condition which Complainant determines may present an imminent and substantial endangerment to the public health, welfare, or the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under RCRA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CA/FO.

VIII. FULL AND FINAL SATISFACTION

Payment of the penalty specified in this CA/FO, above, and completion of the Compliance Tasks set forth herein shall constitute full and final satisfaction of Complainant's claims for civil penalties for the specific violations set forth in this CA/FO.

IX. PARTIES BOUND

This CA/FO shall apply to and be binding upon EPA, Respondent, and Respondent's officers, employees, agents, successors and assigns. By his/her signature below, the person signing this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized to enter into this Agreement on behalf of Respondent and to bind Respondent to the terms and conditions of this CA/FO.

X. EFFECTIVE DATE

The effective date of this CA/FO is the date on which the Final Order, signed by the Regional Administrator of U.S. EPA Region III or his designee, is filed with the Regional Hearing Clerk.

XI. ENTIRE AGREEMENT

This CA/FO constitutes the entire agreement and understanding of the parties concerning settlement of the above-captioned action and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this CA/FO.

For the Respondent:

Akzo Nobel Coatings Inc.

Date:

Aug. 13, 2007

By:

James H. Bray III
General Manager

For the Complainant:

U.S. Environmental Protection Agency, Region III

Date:

8/29/07

By:

Rodney Travis Carter, Esq.
Senior Assistant Regional Counsel

The Waste and Chemicals Management Division, United States Environmental Protection Agency - Region III, recommends that the Regional Administrator of the U.S. EPA Region III or his designee issue the accompanying Final Order.

Date:

9/7/07

By:

Abraham Ferdas
Abraham Ferdas, Director
Waste and Chemicals Management Division

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, PA 19103-2029

IN THE MATTER OF:

Akzo Nobel Coatings Inc.
1431 Progress Avenue
High Point, North Carolina 27261

RESPONDENT

2837 Roanoke Avenue, S.W.
Roanoke, Virginia

FACILITY

) **FINAL ORDER**

)
)
) U.S. EPA Docket Number
) **RCRA-3-2007-0105**

)
) Proceeding under Section 3008
) of the Resource Conservation and
) Recovery Act, as amended,
) 42 U.S.C. § 6928
)

FINAL ORDER

Complainant, the Director of the Waste and Chemicals Management Division, U.S. Environmental Protection Agency - Region III, and Respondent, Akzo Nobel Coatings Inc., have executed a document entitled "Consent Agreement" which I ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22 (with specific reference to 40 C.F.R. Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are incorporated herein by reference.

NOW, THEREFORE, pursuant to Section 3008(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6928(a), and based upon the representations of the parties set forth in the Consent Agreement that the civil penalty amount agreed to by the parties in settlement of the above-captioned matter is based upon a consideration of the factors set forth in RCRA Section 3008(a)(3), 42 U.S.C. § 6928(a)(3), IT IS HEREBY ORDERED THAT Respondent shall pay a civil penalty in the amount of Forty Nine Thousand, Five Hundred Dollars (\$49,500.00) as specified in the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

The effective date of this Final Order and the accompanying Consent Agreement is the date on which the Final Order is filed with the Regional Hearing Clerk of U.S. EPA - Region III.

Date: 9/18/07

BY: Renée Sarajian
Renée Sarajian
Regional Judicial Officer
United States Environmental Protection Agency
Region III



Coatings Division

November 26, 2007

Mr. Jan Szaro
RCRA Enforcement and Compliance Officer
United States Environmental Protection Agency Region III
1650 Arch Street
Philadelphia, PA 19103-2029
re: U.S. EPA Docket Number - RCRA-03-2007-0105

Dear Mr. Szaro:

As required by our compliance order, I am sending written certification that Akzo Nobel Coatings, Inc. Roanoke, Virginia is in compliance with all the compliance task stated in the compliance order.

If there should be questions concerning the completed compliance, you may call Sam Winkler (Health, Safety, Environmental Manager Akzo Nobel Coatings Inc. Roanoke VA) at (540) 855-3302, or email him at sam.winkler@roa.akzonobel.com

Sincerely

James Bray
General Manager
Akzo Nobel Coatings Inc.
Roanoke Virginia

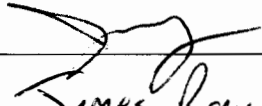
Reliance

Akzo Nobel Coatings Inc.
2837 Roanoke Ave., S.W.
P.O. Box 4627
Roanoke, VA 24015-0627
Tel. (540) 982-8301
FAX (540) 343-3863



November 26, 2007

I certify under penalty of law that this document and all attachments are true, accurate and complete. As to [the/those] identified portions of this [type of submission] for which I cannot personally verify [its/their] accuracy, I certify under penalty of law that this [type of submission] and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations

Signature: 
Name: JAMES BRAY
Title: General Manager

Akzo Nobel Coatings Inc.
2837 Roanoke Ave., S.W.
P.O. Box 4627
Roanoke, VA 24015-0627
Tel. (540) 982-8301
FAX (540) 343-3363